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Washington, Friday, January 7, 1944

The President

EXECUTIVE ORDER 9413

ESTABLISHING A SPECIAL EMERGENCY BOARD TO REPORT ON THE CLAIMS FOR WAGE ADJUSTMENTS OF NON-OPERATING RAILWAY EMPLOYEES

WHEREAS a Special Emergency Board was appointed by me on October 16, 1943, to consider claims for wage adjustments of non-operating railway employees, and

WHEREAS the Economic Stabilization Director on November 4, 1943, entered an order authorizing the wage adjustments recommended by said Special Emergency Board to become effective on November 19, 1943, and

WHEREAS the non-operating railway employees' organizations in the first instance refused to accept the recommendations of said Special Emergency Board and invoked the services of the National Mediation Board to enjoin the carriers from putting the recommendations into effect; and

WHEREAS the non-operating railway employees' organizations on December 27, 1943, announced that they had abandoned their objections to the recommendations of said Special Emergency Board, but asserted additional claims with respect to payments for or in lieu of overtime after forty hours per week, particularly in view of the wage adjustments recently granted to railway operating employees on account of similar and other claims; and

WHEREAS the carriers and the non-operating railway employees have not been able to reach an agreement with respect to such additional claims of the non-operating railway employees;

NOW, THEREFORE, by virtue of the authority vested in me by the Constitution and Statutes, and particularly by the First War Powers Act, 1941, the Railway Labor Act and the Stabilization Act of October 2, 1942, as President of the United States and Commander-in-Chief of the Army and Navy, it is hereby ordered as follows:

1. There is hereby established a Special Emergency Board of three members to be selected by me from the National Railway Labor Panel to consider the

unsettled claims for wage adjustments of the non-operating railway employees, and to recommend to me such wage adjustments, if any, as should be made within the limitations of the Act of October 2, 1942, and the Executive Orders thereunder.

2. The parties before the Special Emergency Board shall be the same as those included within the recommendations of the Emergency Board appointed by me on October 16, 1943.

3. The Special Emergency Board shall report to me as soon as practicable, but not later than 30 days after the date of this Order. Copies of the report shall be filed at the same time with the Economic Stabilization Director, the National War Labor Board and the Commissioner of Internal Revenue.

The recommendations of the Special Emergency Board in regard to proposed changes affecting wage and salary payments shall become effective fifteen days after the date of the filing of its report with me, unless and except to the extent the Economic Stabilization Director otherwise directs.

FRANKLIN D ROOSEVELT

THE WHITE HOUSE,

January 4, 1944.

[F. R. Doc. 44-258; Filed, January 5, 1944; 3:04 p. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter X—War Food Administration (Production Orders)

[3d Rev. FPO 9, Order 3]

PART 1220—FEED

SET ASIDE REQUIREMENTS FOR PROCESSORS

Pursuant to the authority vested in me by Food Production Order No. 9, Revision No. 3 (8 F.R. 16960), issued on December 18, 1943, and to effectuate the purposes of such order pertaining to set aside requirements for oilseed meal produced by processors, and to secure an equitable distribution of such oilseed meal, it is hereby ordered, that:

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§ 1220.5 Set aside requirements for processors of oilseed for February 1944—

(a) Amount to be set aside. Each processor shall set aside at each processing plant operated by him 20 percent of his production of cottonseed, soybean, linseed and peanut oil meal, cake or pellets (hereinafter called "oilseed meal"), during February 1944. The amount of production upon which the quantity of oilseed meal set aside is based shall not include any oilseed meal produced for the Commodity Credit Corporation under the provisions of contracts designated "CCC Soybean Form 106, 1943 Crop", and this order shall not apply to oilseed meal produced under such contracts.

(b) Sale and delivery of oilseed meal set aside. (1) Oilseed meal set aside pursuant to this order shall not be sold or delivered by any processor except to the holder of a Certificate of Designated Buyer issued by the Agricultural Conservation Committee for the State or county in which the buyer's farm or establishment is located. The certificate shall be in the following form:

CERTIFICATE OF DESIGNATED BUYER

..... is authorized to purchase and accept delivery of (tonspounds) of oilseed meal from amounts set aside by of (Name of Processor) (Address) pursuant to the order of the Director of Food Production. (If, for any reason, delivery of oilseed meal cannot be made, this certificate shall be returned by the processor to the issuing Agricultural Conservation

Committee with the reasons why delivery was not made.)

Food Production Administration

..... Agricultural Conservation Committee of (Address) J. B. Hutson, Director By (Chairman) Expiration Date

(2) Agricultural Conservation Committees may commence issuing Certificates of Designated Buyers pursuant to this order during January 1944, and processors may commence delivery of oilseed meal pursuant to such certificates during January 1944. A processor shall be entitled to credit such deliveries made in January 1944 against the quantity of oilseed meal which he is required to set aside in February 1944, if he makes the report provided for in paragraph (c) (1) hereof.

(3) A processor may, but shall not be required to, deliver any oilseed meal to the holder of any certificate which is presented to such processor after the expiration date of such certificate. Any such certificate received by a processor after the expiration date thereof, or which is otherwise invalid, for which delivery of oilseed meal is not made, shall be returned by the processor to the issuing Agricultural Conservation Committee.

(4) Shipment of any oilseed meal, set aside pursuant to this order, must be made by a processor within 7 days of the receipt of any such certificate.

(5) A certificate may be presented by the holder thereof directly to the processor designated thereon, or through any dealer, jobber, or broker, for the purpose of securing delivery of oilseed meal to the person to whom such certificate was issued. The processor who delivers such oilseed meal pursuant to a certificate shall file such certificate as required under the provisions of paragraph (c) (2).

(c) Processor's reports—(1) Report of tonnage for January delivery for credit against February set aside. If a processor wishes to make deliveries of oilseed meal pursuant to this order in January 1944 for credit against his set aside in February 1944, he must report to the Director in writing (or by telegraph) not later than January 25, 1944, the estimated tonnage of each kind of oilseed meal which will be available at each of his processing plants for delivery in January 1944 for such credit. Each processor may also submit such additional information as he deems pertinent to the allocation or distribution of oilseed meal to be set aside under this order.

(2) Report of tonnage set aside and deliveries made. Each processor subject to this order shall file a report with the Director on FPA Form 2 not later than March 10, 1944, for each plant operated by him. Certificates of Designated Buyers, pursuant to which oilseed meal has been delivered, shall be attached to and made a part of FPA Form 2.

(d) Certificates issued by County Agricultural Conservation Committees. No County Agricultural Conservation Committee shall issue Certificates of Designated Buyers unless authorized to do so by its State Agricultural Conservation Committee.

(e) Communications. All reports required to be filed hereunder and all communications concerning this order, unless instructions to the contrary are issued, shall be addressed to the Director of Food Production, War Food Administration, Washington 25, D. C., Ref: FPO 9-3.

NOTE: The record keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(54 Stat. 676, 55 Stat. 236, 56 Stat. 176; E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; FPO 9, Rev. 3, 8 F.R. 16960)

Issued this 5th day of January 1944.

J. B. HUTSON,
Director.

[F. R. Doc. 44-336; Filed, January 6, 1944; 11:17 a. m.]

TITLE 10—ARMY: WAR DEPARTMENT

Chapter III—Claims and Accounts

PART 30—SERVICEMEN'S DEPENDENTS ALLOWANCE

JOINT REGULATIONS UNDER SERVICEMEN'S DEPENDENTS ALLOWANCE ACT, AS AMENDED

Section 30.1 as published in the FEDERAL REGISTER, 3 August 1943 (8 F.R. 10706) is rescinded and the following new § 30.1 is substituted therefor:

§ 30.1 Period of entitlement and payment of family allowances. Under provisions of the Servicemen's Dependents Allowance Act of 1942, as amended, the Secretary of War and the Secretary of the Navy prescribe jointly the following regulations pertaining to family allowances:

(a) Payments of all family allowances shall be for periods of full calendar months.

(b) To insure expeditious payment of the initial family allowance:

(1) Payment shall be made on the basis of the statements of the enlisted man in the application, filed within the prescribed period, and to or on behalf of eligible dependents designated therein; and

(2) Eligibility for initial family allowance will be deemed to have existed on and from the date of entry into active service if the application indicates eligibility on the date of application.

(c) Erroneous statements or misrepresentations in applications for initial family allowances may, as determined by the Secretary of the department concerned, be the basis for recovery by charge against the pay of the applicant, or otherwise, and for disciplinary action.

(d) When an initial family allowance is paid to any dependent for the month of an enlisted man's entry into active service in a pay status, no regular

monthly family allowance shall be paid to any dependent of such enlisted man for that month. When no initial family allowance is paid, the period of entitlement and payment of the regular monthly family allowance shall begin as hereinafter prescribed.

(e) Except as otherwise provided, the period of entitlement to and payment of regular monthly family allowances, including any increases therein, shall begin as of the first day of the calendar month in which a required written application (or a notice of change in a case of increase) is filed, or the first day of the calendar month in which a dependent is acquired, whichever is later, but in no case earlier than the month of entry of the enlisted man into active service in a pay status. In case of Class B or Class B-1 dependents the period of entitlement and payment may begin as of the first day of any subsequent calendar month that the enlisted man requests.

(f) Any increase in a regular monthly family allowance in effect to a wife, or wife and children, incident to the birth of a child or additional child, shall be effective as of the first day of the calendar month during which the birth occurs notwithstanding that notice or evidence thereof is received in a subsequent month.

(g) Except as otherwise provided, the period of payment of monthly family allowance shall terminate, or payment shall be decreased, as of the end of the calendar month during which any notice is received by the disbursing officer paying the allowance of a change which terminates or limits the entitlement of the dependent or dependents to such allowance. Entitlement to family allowance shall terminate or be modified at the end of the month in which such change occurs. Checks to which there is no entitlement may be permanently withheld.

(h) Insofar as practicable the period of entitlement and payment of any Class B or Class B-1 regular monthly family allowance requested in writing by the enlisted man to be discontinued, other than by reason of change in status of dependents, shall terminate as of the end of the calendar month requested by the enlisted man or the end of the calendar month during which such request is received by the disbursing officer paying the allowance, and in no case later than the end of the next succeeding calendar month.

(i) For the purpose of determining amounts of family allowance to be paid:

(1) In cases in which no family allowance has been granted to a wife or divorced wife, the amount of family allowance payable to children shall be the amount specified in the statute where there is no wife or divorced wife;

(2) In cases in which no family allowance has been granted to a parent, the amount of family allowance payable to brothers and sisters shall be the amount specified in the statute where there is no parent;

(3) All children of an enlisted man shall be considered one family entity irrespective of differences in their custody, residence, or parentage;

(4) Parents of an enlisted man, and all his brothers and sisters irrespective

of differences in their custody, residence, or parentage, shall be considered one family entity;

(5) The total amount of monthly family allowance payable to or for the benefit, respectively, of two or more children, of two parents, or of two or more brothers and sisters, shall be equally divided among the respective children, parents, or brothers and sisters or shall be otherwise apportioned and paid within the respective groups as the Secretary of the department concerned may direct.

(j) Whenever a court order or decree or written agreement of separation provides a single sum for alimony to a divorced wife or maintenance for a wife and also for the support of a child or children, the proportional share of the wife or divorced wife in such sum shall, for the purpose of carrying out the provisions of section 106 (c) of the act, be deemed to be sixty per centum thereof in the case of one child and forty per centum thereof in any case of two or more children. Regardless of any limit stated in a court order or decree or written agreement the full statutory amount of family allowance shall be payable to or on behalf of any child or children.

(k) Application of section 106 (c) (1) shall be made in those cases in which there is a lawful wife living separate and apart from the enlisted man and there is also a court order or decree or a written agreement which expressly or impliedly provides for the beginning or continuance of such living separate and apart. In construing a court order or decree or written agreement full consideration shall be given to all the facts and circumstances under which the order, decree or agreement is issued or made. A penal order for marital support or an order in a desertion case is not within this statutory limitation; in such cases the full allowance for a wife is payable.

(l) The payment of any amounts of a family allowance uncollected at the time of death of a dependent shall be made to such payee or payees, including the enlisted man when appropriate, as the Secretary of the department concerned shall deem equitable, subject to the provisions of section 115 of the act.

(m) The Secretary of the department concerned may at any time require additional evidence in any family allowance case. Failure to furnish such evidence within a reasonable time after request or any insufficiency of evidence shall constitute good cause for the discontinuance or modification of such family allowance. These joint regulations are effective November 1, 1943; they rescind and supersede the joint regulations approved July 19, 1943.

(56 Stat. 381, 57 Stat. 577, 37 U.S.C. Sup. 201, et seq.)

Approved: December 4, 1943.

HENRY L. STIMSON,
Secretary of War.

Approved: December 21, 1943.

FRANK KNOX,
Secretary of the Navy.

[F. R. Doc. 44-259; Filed, January 5, 1944;
12:14 p. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regs., Serial No. 298]

AUTHORIZATION TO ADMINISTRATOR OF CIVIL AERONAUTICS TO ISSUE "ASSISTANT AIRLINE TRANSPORT PILOT CERTIFICATES" TO DESIGNATED CLASS OF PILOTS

SPECIAL CIVIL AIR REGULATION

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 31st day of December 1943.

Effective January 1, 1944, Special Civil Air Regulation Serial Number 278 is amended by striking the words "December 31, 1943" and inserting in lieu thereof the words "June 30, 1944".

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 44-288; Filed, January 6, 1944;
10:39 a. m.]

[Civil Air Regs., Amdt. 61-15]

PART 61—SCHEDULED AIR CARRIER RULES EMERGENCY EXITS OF AIRCRAFT CARRYING PASSENGERS

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 29th day of December 1943.

Effective December 29, 1943, the effective date of § 61.797 adopted October 22, 1943, is changed from January 1, 1944, to February 1, 1944.

(52 Stat. 984, 1007; 49 U.S.C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] FRED A. TOOMBS,
Secretary.

[F. R. Doc. 44-287; Filed, January 6, 1944;
10:39 a. m.]

Chapter II—Administrator of Civil Aeronautics, Department of Commerce

[Amendment 35]

PART 600—DESIGNATION OF CIVIL AIRWAYS

GREEN CIVIL AIRWAY NO. 5

DECEMBER 13, 1943.

Acting pursuant to the authority vested in me by section 302 of the Civil Aeronautics Act of 1938, as amended, I hereby amend Part 600 of the Regulations of the Administrator of Civil Aeronautics as follows:

By deleting in § 600.10004 *Green civil airway No. 5* (Los Angeles, Calif., to Washington, D. C.)¹ after the words: "Fort Worth, Tex., radio range station;" the following:

the intersection of the center lines of the on course signals of the northeast leg of the Fort Worth, Tex., radio range and the southwest leg of the Texarkana, Ark., radio range.

¹ 7 F.R. 1748; 8 F.R. 7219, 13448.

This amendment shall become effective 0001 e. w. t., December 15, 1943.

C. I. STANTON,
Administrator.

[F. R. Doc. 44-279; Filed, January 6, 1944;
9:48 a. m.]

[Amendment 36]

PART 600—DESIGNATION OF CIVIL AIRWAYS
RED CIVIL AIRWAYS 12, 24; BLUE CIVIL
AIRWAYS 4, 9

DECEMBER 18, 1943.

Acting pursuant to the authority vested in me by section 302 of the Civil Aeronautics Act of 1938, as amended, I hereby amend Part 600 of the Regulations of the Administrator of Civil Aeronautics as follows:

1. By striking in § 600.10211 *Red civil airway No. 12 (Kansas City, Mo., to Detroit, Mich.)* the words:

to the intersection of the center lines of the on course signals of the southeast leg of the Rockford, Ill., radio range and the southwest leg of the Chicago, Ill., radio range.

and substituting in lieu thereof the following:

and the intersection of the center lines of the on course signals of the southeast leg of the Rockford, Ill., radio range and the southwest leg of the Chicago, Ill., radio range, to the Chicago, Ill., radio range station.

2. By amending § 600.10223 *Red civil airway No. 24 (Amarillo, Tex., to Oklahoma City, Okla.)* to read as follows:

From the Amarillo, Tex., radio range station via the intersection of the center lines of the on course signals of the southeast leg of the Amarillo, Tex., radio range and the southwest leg of the Oklahoma City, Okla., radio range to the Oklahoma City, Okla., radio range station.

3. By amending § 600.10303 *Blue civil airway No. 4 (Boston, Mass., to U. S.-Canadian Border)* to read as follows:

From the Boston, Mass., radio range station via the intersection of the center lines of the on course signals of the northeast leg of the Boston, Mass., radio range and the southeast leg of the Concord, N. H., radio range; Concord, N. H., radio range station and the Burlington, Vt., radio range station; to the intersection of the center line of the on course signal of the northwest leg of the Burlington, Vt., radio range and the U. S.-Canadian Border.

4. By striking in § 600.10308 *Blue civil airway No. 9 (Kirkville, Mo., to the U. S.-Canadian Border)* the words:

From the Minneapolis, Minn., radio range station via the Duluth, Minn., radio range station to the intersection of the center line of the on course signal of the northeast leg of the Duluth, Minn., radio range and the U. S.-Canadian Border.

and substituting in lieu thereof the following:

From the Minneapolis, Minn., radio range station via the Duluth, Minn., radio range station and the Two Harbors, Minn., radio range station to the intersection of the center line of the on course signal of the northeast leg of the Two Harbors, Minn., radio range and the U. S.-Canadian Border.

This amendment shall become effective 0001 e. w. t., December 15, 1943.

C. I. STANTON,
Administrator.

[F. R. Doc. 44-284; Filed, January 6, 1944;
9:53 a. m.]

[Amendment 37]

PART 600—DESIGNATION OF CIVIL AIRWAYS
RED CIVIL AIRWAY 16; BLUE CIVIL AIRWAY 28
DECEMBER 20, 1943.

Acting pursuant to the authority vested in me by section 302 of the Civil Aeronautics Act of 1938, as amended, I hereby amend Part 600 of the Regulations of the Administrator of Civil Aeronautics as follows:

1. By amending § 600.10215 *Red civil airway No. 16 (Augusta, Ga., to Charleston, S. C.)* to read as follows:

§ 600.10215 *Red civil airway No. 16 (Augusta, Ga., to Florence, S. C.)*. From the Augusta, Ga., radio range station, via the Columbia, S. C., radio range station; the intersection of the center lines of the on course signals of the east leg of the Columbia, S. C., radio range and the southwest leg of the Florence, S. C., radio range; to the Florence, S. C., radio range station.

2. By adding a new § 600.10327 *Blue civil airway No. 28 (Columbia, S. C., to Charleston, S. C.)* to read as follows:

From the Columbia, S. C., radio range station, via the intersection of the center lines of the on course signals of the southeast leg of the Columbia, S. C., radio range and the northwest leg of the Charleston, S. C., radio range to the Charleston, S. C., radio range station.

This amendment shall become effective 0001 e. w. t., December 20, 1943.

C. I. STANTON,
Administrator.

[F. R. Doc. 44-285; Filed, January 6, 1944;
9:53 a. m.]

[Amendment 54]

PART 601—DESIGNATION OF CERTAIN CONTROL AIRPORTS

LAKE CHARLES, LA., ARMY AIR FIELD

DECEMBER 20, 1943.

Acting pursuant to the authority vested in me by section 308 of the Civil Aeronautics Act of 1938, as amended, and § 60.21 of the Civil Air Regulations, I hereby amend Part 601 of the Regula-

tions of the Administrator of Civil Aeronautics as follows:

By amending § 601.3 (6 F.R. 6453) so as to include in the proper alphabetical order the designation of the following airport as a control airport:

City	Name of airport
Lake Charles, Louisiana	Lake Charles Army Air Field.

This amendment shall become effective 0001 e. w. t., December 30, 1943.

C. I. STANTON,
Administrator.

[F. R. Doc. 44-280; Filed, January 6, 1944;
9:48 a. m.]

[Amendment 55]

PART 601—DESIGNATION OF CERTAIN CONTROL AIRPORTS

NORTH PLATTE, NEBR., MUNICIPAL AIRPORT
DECEMBER 20, 1943.

Acting pursuant to the authority vested in me by section 308 of the Civil Aeronautics Act of 1938, as amended, and § 60.21 of the Civil Air Regulations, I hereby amend Part 601 of the Regulations of the Administrator of Civil Aeronautics as follows:

By amending § 601.3 (6 F. R. 6453) so as to include in the proper alphabetical order the designation of the following airport as a control airport:

City	Name of airport
North Platte, Nebr.	Municipal Airport

This amendment shall become effective 0001 e. w. t., December 31, 1943.

C. I. STANTON,
Administrator.

[F. R. Doc. 44-281; Filed, January 6, 1944;
9:48 a. m.]

[Amendment 56]

PART 601—DESIGNATION OF CERTAIN CONTROL AIRPORTS

RED CIVIL AIRWAY 12; BLUE CIVIL AIRWAY 9
DECEMBER 18, 1943.

Redesignation of Radio Fixes: Red civil airway No. 12; Blue civil airway No. 9.

Acting pursuant to the authority vested in me by section 308 of the Civil Aeronautics Act of 1938, as amended, and Special Regulation No. 197 of the Civil Aeronautics Board, I hereby amend Part 601 of the Administrator of Civil Aeronautics as follows:

1. By adding in § 601.40212 *Red civil airway No. 12 (Kansas City, Mo., to Detroit, Mich.)* after the words: "Burlington, Iowa radio range station;" the following:

the intersection of the center lines of the on course signals of the southeast leg of the Rockford, Ill., radio range and the southwest leg of the Chicago, Ill., radio range.

2. By adding in § 601.40309 *Blue civil airway No. 9 (Kirkville, Mo., to U. S.—*

Canadian Border) after the words: "La Crosse, Wis., radio range;" the following:

Duluth, Minn., radio range station;
Two Harbors, Minn., radio range station.

This amendment shall become effective 0001, e. w. t., December 15, 1943.

C. I. STANTON,
Administrator.

[F. R. Doc. 44-282; Filed, January 6, 1944;
9:48 a. m.]

[Amendment 57]

PART 601—DESIGNATION OF CERTAIN CONTROL AIRPORTS

RED CIVIL AIRWAY 16, BLUE CIVIL AIRWAY 28
DECEMBER 20, 1943.

Designation of Red civil airway No. 16 Airway Traffic Control Areas; Designation of Radio Fixes: Blue civil airway No. 28.

Acting pursuant to the authority vested in me by section 308 of the Civil Aeronautics Act of 1938, as amended, and Special Regulation No. 197 of the Civil Aeronautics Board, I hereby amend Part 601 of the Regulations of the Administrator of Civil Aeronautics as follows:

1. By striking in § 601.10216 *Red civil airway No. 16 airway traffic control areas (Augusta, Ga., to Charleston, S. C.)* the following portion of the caption: "Charleston, S. C." and substituting in lieu thereof the following: "Florence, S. C."

2. By adding a new § 601.40328 *Blue civil airway No. 28 (Columbia, S. C., to Charleston, S. C.)* to read as follows: "All of Blue civil airway No. 28."

This amendment shall become effective 0001 e. w. t., December 20, 1943.

C. I. STANTON,
Administrator.

[F. R. Doc. 44-283; Filed, January 6, 1944;
9:48 a. m.]

TITLE 18—CONSERVATION OF POWER

Chapter I—Federal Power Commission

[Order 115]

AMENDMENTS TO RULES OF PRACTICE AND REGULATIONS

DECEMBER 28, 1943.

The Commission, pursuant to authority vested in it by the Federal Power Act, particularly section 309 thereof, and finding such action necessary and appropriate for carrying out the provisions of said act, hereby adopts, promulgates, and prescribes the following amendments to the "Rules of Practice and Regulations With Approved Forms, Effective June 1, 1938" (under the Federal Power Act), as heretofore prescribed by Order No. 50, adopted April 19, 1938, as amended:

PART 32—INTERCONNECTION OF FACILITIES; EMERGENCIES; TRANSMISSION TO FOREIGN COUNTRY

Section 32.30 *Who shall apply* be and it is hereby amended by adding at the end thereof as a separate paragraph the following:

In connection with applications hereunder, attention is directed to the provisions of §§ 32.50 to 32.52 inclusive relative to applications for Presidential Permits for the construction, operation, maintenance, or connection, at the borders of the United States, of facilities for the transmission of electric energy between the United States and a foreign country in compliance with Executive Order No. 8202, dated July 13, 1939.

Section 32.33 *Required exhibits* be and it is hereby amended by adding at the end of the paragraph beginning Exhibit C the following sentence:

The map should indicate with particularity the facilities owned by the owner of the source of supply and those owned by the transmitter of the electric energy. and adding at the end of § 32.33 the following:

Exhibit E. Photostatic, or certified copy of articles of incorporation and by-laws of applicant company.

Exhibit F. A detailed statement of the financial and corporate relationship existing between applicant and any other person or corporation.

Any exhibit required by this section already on file with the Commission may be incorporated by reference.

Section 32.35 *Transferability* be and it is hereby amended to read as follows:

§ 32.35 *Transferability.* Authorization to transmit electric energy from the United States to a foreign country granted by order of the Commission under §§ 32.30 to 32.38 inclusive pursuant to section 202 (e) of the Federal Power Act shall not be transferable or assignable. The Commission order granting the authorization may, however, provide that the authorization shall continue in effect temporarily for a reasonable time thereafter in the event of the involuntary transfer of facilities used thereunder by operation of law (including such transfers to receivers, trustees, or purchasers under foreclosure or judicial sale) pending the making of an application for permanent authorization and decision thereon, provided notice is promptly given in writing to the Commission accompanied by a statement that the physical facts relating to sufficiency of supply, rates, and nature of use remain substantially the same as before the transfer and as stated in the initial application for such authorization.

The Commission may also, at any time subsequent to the original order of authorization, from time to time, after opportunity for hearing, make such supplemental orders in the premises as it may find necessary or appropriate.

Application for Construction, Operation, Maintenance, or Connection at International Boundary of the United States and a Foreign Country of Facilities for Transmission of Electric Energy Between the United States and Foreign Countries, Under Executive Order No. 8202, Dated July 13, 1939

Section 32.50 *Who shall apply* be and it hereby is amended by adding at the end thereof as a separate paragraph the following:

In connection with applications hereunder, attention is directed to the provisions of §§ 32.30 to 32.38 inclusive relative to applications for authorization to transmit electric energy from the United States to a foreign country under section 202 (e) of the Federal Power Act.

Section 32.51 *Contents of application* be and it is hereby amended by substituting a period for the semicolon after the last word in subparagraph (2) and adding the following sentence to the paragraph:

The map should indicate with particularity the ownership of the facilities at or on each side of the border between United States and the foreign country.

PART 35—FILING OF RATE SCHEDULES

Part 35 be and it is hereby amended by adding a new section designated as § 35.15 as follows:

§ 35.15 *Filing of rate schedules, notices, etc., by persons authorized to transmit electric energy from the United States to a foreign country.* Reference is hereby made to the provisions of § 32.38 requiring persons authorized to transmit electric energy from the United States to a foreign country to file rate schedules, supplements, notices of succession in ownership or operation, notices of cancellation, and certificates of concurrence with respect to such energy.

The amendments to the "Rules of Practice and Regulations With Approved Forms, Effective June 1, 1938" (under the Federal Power Act) adopted, promulgated, and prescribed by this order shall become effective on February 1, 1944. The Secretary of the Commission shall cause publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL]

J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 44-277; Filed, January 6, 1944;
9:40 a. m.]

[Order 116]

AMENDMENT OF PROVISIONAL RULES OF PRACTICE AND REGULATIONS

DECEMBER 28, 1943.

The Commission, pursuant to authority vested in it by the Natural Gas Act, particularly section 16 thereof, and finding such action necessary and appropriate for carrying out the provisions of

said act, hereby adopts, promulgates, and prescribes the following amendments to the "Provisional Rules of Practice and Regulations Under the Natural Gas Act, Effective July 11, 1938":

PART 53—APPLICATION FOR AUTHORIZATION TO EXPORT OR IMPORT NATURAL GAS

Section 53.1 *Who shall apply* be and it is hereby amended by adding at the end thereof as a separate paragraph the following:

In connection with applications hereunder, attention is directed to the provisions of §§ 53.10 to 53.12 inclusive relative to applications for Presidential Permits for the construction, operation, maintenance, or connection, at the borders of the United States, of facilities for the exportation and importation of natural gas to or from a foreign country in compliance with Executive Order No. 8202, dated July 13, 1939.

Section 53.4 *Required exhibits* be and it is hereby amended by adding at the end of the paragraph beginning *Exhibit F* the following:

The map should indicate with particularity the ownership of such facilities at or on each side of the border between the United States and the foreign country.

and, at the end of the section, the following:

Any exhibit required by this section already on file with the Commission may be incorporated by reference.

Part 53 be and it is hereby amended by adding the following as § 53.6:

§ 53.6 *Transferability.* Authorizations to export natural gas from the United States to a foreign country or to import natural gas from a foreign country granted by order of the Commission under §§ 53.1 to 53.5 inclusive pursuant to section 3 of the Natural Gas Act shall not be transferable or assignable. The Commission order granting the authorization may, however, provide that the authorization shall continue in effect temporarily for a reasonable time in the event of the involuntary transfer of facilities used thereunder by operation of law (including such transfers to receivers, trustees, or purchasers under foreclosure or judicial sale) pending the making of an application for permanent authorization and decision thereon, provided notice is promptly given in writing to the Commission accompanied by a statement that the physical facts relating to sufficiency of supply, rates, and nature of use remain substantially the same as before the transfer and as stated in the initial application for such authorization.

The Commission may also, at any time subsequent to the original order of authorization, from time to time, after opportunity for hearing, make such supplemental orders in the premises as it may find necessary or appropriate.

Part 53 be and it is hereby amended by adding the following as §§ 53.7 and 53.8:

§ 53.7 *Authorization not exclusive.* No authorization granted pursuant to section 3 of the Natural Gas Act shall be deemed to prevent authorization being granted to any other person to export natural gas from the United States to a foreign country or to import natural gas from a foreign country for the same use, or to prevent any other person from making application for such authorization.

§ 53.8 *Filing of rate schedules, notices, etc.* Persons authorized to export natural gas from the United States to a foreign country or to import natural gas from a foreign country shall file all rate schedules, supplements, notices of succession in ownership or operation, notices of cancellation, and certificates of concurrence with respect to such natural gas in the form and manner specified in the provisions of §§ 54.1 to 54.14.

Application for Construction, Operation, Maintenance, or Connection at International Boundary of United States and a Foreign Country, of Facilities for Exportation or Importation of Natural Gas to or from Foreign Countries, Under Executive Order No. 8202, Dated July 13, 1939

Section 53.10 *Who shall apply* be and it is hereby amended by adding at the end thereof as a separate paragraph the following:

In connection with applications hereunder, attention is directed to the provisions of §§ 53.1 to 53.5 inclusive relative to applications for authorization to export or import natural gas to or from a foreign country under Section 3 of the Natural Gas Act.

Section 53.11 *Contents of application* be and it is hereby amended by substituting a period for the semicolon after the last word in subparagraph (2) and adding the following sentence to the paragraph:

The map should indicate with particularity the ownership of such facilities at or on each side of the border between the United States and the foreign country.

PART 54—FILING OF RATE SCHEDULES

Part 54 be and it is hereby amended by adding a new section designated as § 54.17 as follows:

§ 54.17 *Filing of rate schedules, notices, etc., by persons authorized to export or import natural gas between the United States and a foreign country.* Reference is hereby made to the provisions of § 53.8 requiring persons authorized to export natural gas from the United States to a foreign country or import natural gas from a foreign country to the United States to file rate schedules, supplements, notices of succession in ownership or operation, notices of cancellation, and certificates of concurrence with respect to such natural gas.

The amendments to the "Provisional Rules of Practice and Regulations under the Natural Gas Act, With Approved

Forms, Effective July 11, 1938" adopted, promulgated and prescribed by this order shall become effective on February 1, 1944. The Secretary of the Commission shall cause publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL]

J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 44-278; Filed, January 6, 1944, 9:40 a. m.]

TITLE 24—HOUSING CREDIT

Chapter VII—National Housing Agency

[NHA General Order 60-2B]

PART 702—PRIVATE WAR HOUSING

OCCUPANCY AND DISPOSITION

Supersedes NHA General Order 60-2A. The National Housing Agency is responsible for the proper occupancy of housing programmed for war workers and for the adoption of regulations assuring that war housing will be held available for eligible war workers for the duration of the national emergency declared by the President on September 8, 1939 (4 F.R. 3851). The purpose of this general order is to set forth the private housing to which occupancy standards apply, the persons who are eligible war workers for such housing, the length of time such housing must be held for their use, the conditions under which such housing may be transferred or sold, and the conditions under which occupancy standards applicable to such housing may be modified or removed.

Sec.

702.1 Private war housing to which occupancy standards apply.

702.2 Persons who are eligible war workers.

702.3 Length of time private war housing must be reserved for occupancy by eligible war workers.

702.4 Disposition of private war housing.

AUTHORITY: §§ 702.1 to 702.4, inclusive, issued under E.O. 9070, 7 F.R. 1529, 12 CFR 222.8 (e).

§ 702.1 *Private war housing to which occupancy standards apply.* (a) Private war housing to which occupancy standards apply are the following:

(1) All new housing, and the additional housing accommodations created by remodeling or rehabilitation, which received or receives priority assistance or authority to begin construction as follows:

(i) Application for priority assistance was submitted prior to February 10, 1943, on Form PD-105 and received or receives priority assistance through Preference Rating Order No. P-55, or

(ii) Application for priority assistance or authority to begin construction is submitted on or after February 10, 1943, on Form PD-105 (Revised 2-10-43) if section B thereof is executed;

(2) All new housing, and the additional housing accommodations created by remodeling or rehabilitation, which received or receives either priority assistance or authority to begin construction,

as a result of submitting an application for such assistance or authority on Form PD-200, if such application was accompanied by the form Applicant's Supplemental Certification and if such housing was not to be occupied by the owner;

(3) The additional housing accommodations created by remodeling or rehabilitation financed under Class 1 (b) of Title I of the National Housing Act;

(4) Housing financed under Class 3 of Title I of the National Housing Act for which an application was or is submitted to the local office of the Federal Housing Administration:

(i) Prior to February 10, 1943, and such application was accompanied by, or supplemented with, a War Housing Statement Form, or

(ii) On or after February 10, 1943, and the applicant also executes section B of Form PD-105 (Revised 2-10-43) in connection with such housing;

(5) Housing financed with a mortgage loan insured by the Federal Housing Administration under section 603 of Title VI of the National Housing Act for which an application was submitted to the local office of the Federal Housing Administration:

(i) Prior to February 10, 1943, and such application was accompanied by, or supplemented with, FHA Form 2004 (e), or

(ii) On or after February 10, 1943;

(6) Housing financed with a mortgage loan insured by the Federal Housing Administration under section 608 of Title VI of the National Housing Act; and

(7) The additional housing accommodations created by remodeling or rehabilitation in projects designated as "defense housing," by either the Division of Defense Housing Coordination or the National Housing Agency, in order to exempt such housing from Federal Reserve Board Regulation W.

(b) For the purposes of this general order, private war housing is "begun" on the date of submitting to the Federal Housing Administration a properly executed application for priority assistance or authority to begin construction in connection with such housing; or, if remodeling or rehabilitation of any private war housing did not receive priority assistance or authority to begin construction, such housing was "begun" either on the date a properly executed application was filed under Title I, Class 1 (b), of the National Housing Act in connection with such housing, or on the date a properly executed application for exemption from Federal Reserve Board Regulation W was submitted to a registrant in connection with such housing.

(c) For the purposes of this general order, the date of "completion" of any private war housing shall be the date upon which such housing is offered for initial rental or sale, or the date upon which such housing is first ready for immediate occupancy, whichever is later.

(d) The phrase "held for rental" includes only an ordinary landlord-tenant relationship or such a tenancy coupled with an option to purchase containing the following provisions:

(1) The tenant shall not be obligated to purchase and the option shall run only in behalf of the tenant;

(2) No payment shall be required in any one month in addition to the listed monthly payment while a tenant, which monthly payment shall not exceed the fair rental for the dwelling unit under an ordinary landlord-tenant relationship not coupled with an option to purchase;

(3) The monthly payment while a tenant shall not be in excess of rental for comparable accommodations;

(4) The total purchase price shall be a fair market price, or \$6000, whichever is lower;

(5) The option may not be exercised prior to the expiration of two months' occupancy;

(6) The option shall continue in effect for at least 30 months unless sooner exercised; and

(7) The occupancy and disposition provisions shall continue to apply to such housing after the option is exercised, or terminated, for the duration of the national emergency declared by the President on September 8, 1939.

§ 702.2 *Persons who are eligible war workers.* (a) For private war housing begun on or after February 10, 1943, an eligible war worker shall be only a person who qualifies under the provisions of NHA General Order No. 60-1B.¹

(b) For private war housing begun prior to February 10, 1943, an eligible war worker shall be only a person who qualifies under the provision of the application (and other instruments related thereto) for priority assistance or authority to begin construction, FHA insurance, or exemption from Federal Reserve Board Regulation W submitted in connection with such housing; or, at the option of the owner of such housing, a person who qualifies under the provisions of NHA General Order No. 60-1B. Private war housing for which applications for priority assistance were filed with the Federal Housing Administration before February 10, 1943, but for which quotas did not become available until on or after that date, shall not be approved after July 15, 1943 except subject to the rules applicable to private war housing so "begun" on or after February 10, 1943.

(c) The Joint Army-Navy-NHA Directive of July 16, 1942 is incorporated by reference in NHA General Order No. 60-1B, which defines indispensable immigrant civilian war workers, who are eligible for private war housing begun on or after February 10, 1943. For private war housing begun prior to February 10, 1943, eligible war workers as defined in the standard application for such housing include "members of the armed forces". Hence members of the armed forces, including convalescents as well as those on active duty, are eligible for such housing, as well as for reference (by War Housing Centers or other appropriate placement agency) to existing private structures programmed for war workers.

¹ Not filed with the Division of the Federal Register.

§ 702.3 *Length of time private war housing must be reserved for occupancy by eligible war workers.* (a) Private war housing begun on or after February 10, 1943, shall be made available for initial occupancy, and for re-occupancy, only by eligible war workers: *Provided, however,* That at any time subsequent to 60 days after completion of such housing, the owner of such housing may petition the National Housing Agency to permit initial occupancy, or re-occupancy, as the case may be, by a person other than an eligible war worker, in accordance with NHA General Order No. 60-3C (*infra*).

(b) Private war housing begun prior to February 10, 1943, shall be made available for initial occupancy, and for re-occupancy, by eligible war workers for at least the period of time after completion specified in the application (and other instruments related thereto) for priority assistance or authority to begin construction, FHA insurance, or exemption from Federal Reserve Board Regulation W submitted in connection with such housing. Whenever any such application (or other instruments related thereto) provided for an exclusive preference to eligible war workers for a specified time, such exclusive preference shall be so given for at least such specified time; and whenever any such application (or other instruments related thereto) provided for merely a general preference to eligible war workers, at least such general preference shall be so given for at least such specified time.

§ 702.4 *Disposition of private war housing.* (a) Private war housing begun on or after February 10, 1943, shall be held for rental only to eligible war workers for the duration of the national emergency declared by the President on September 8, 1939, and, except for involuntary transfers, shall be disposed of only as follows:

(1) (i) An occupant, after two months' occupancy, may purchase the private war housing unit occupied by him subject to NHA General Order No. 60-3C.

(ii) Without conforming to (i) which precludes selling except at the option of the eligible war worker exercised after at least two months' rental occupancy, a dwelling unit in a private war housing project may be held for sale or sold to an eligible war worker as provided in NHA General Order No. 60-3C: *Provided,* That any sale so made shall take place not later than 15 days after the Federal Housing Administration makes its final Priority Compliance Inspection Report ("Completion Report") with respect to the unit (after which time the unit if not sold shall be held for rental as indicated in (i): *And provided further,* That no owner shall sell more than one-third of the units in all projects (begun on or after February 10, 1943) which he has placed under actual construction in any war housing area except such sales as are made in conformity with the requirement of holding for rental as indicated in (i): *And provided further,* That any sale made pursuant to (ii) shall be within a price range for the general types of units intended to be sold which is ac-

ceptable to the National Housing Agency. The proposed price range shall be submitted to the Federal Housing Administration in advance of sale by letter or other appropriate method, and in the case of all PD-105 applications filed on or after August 1, 1943 shall be submitted with the application.

(2) A person who will not himself occupy such housing may purchase or otherwise acquire such housing at any time, in accordance with NHA General Order No. 60-3C, *Provided*, The occupancy and disposition limitations applicable to such housing prior to such purchase or acquisition shall continue to be applicable to such housing after such purchase or acquisition.

(3) An eligible war worker under NHA General Order No. 60-1B may himself build, own and occupy a private war housing unit suitable to his needs, without complying with the rental requirements, as provided in and subject to the provisions of paragraph (a) of § 702.11 of NHA General Order No. 60-3C. Or,

(4) At any time subsequent to 60 days after completion of any such housing, the owner of such housing may petition the National Housing Agency, in accordance with NHA General Order No. 60-3C, to permit such housing to be disposed of otherwise than as provided above in this paragraph (a).

(b) Private war housing begun prior to February 10, 1943, shall be rented, sold, or transferred only in accordance with the provisions of the application (or other instruments related thereto) for priority assistance, authority to begin construction, or exemption from Federal Reserve Board Regulation W submitted in connection with such housing, except that whenever any such application for priority assistance or authority to begin construction provided that such housing could be disposed of, with the prior approval of the War Production Board, otherwise than as stated in such application, a prior approval by the National Housing Agency (instead of by the War Production Board) shall be required in order to dispose of such housing otherwise than as stated in such application. NHA General Order No. 60-3C sets forth the provisions regarding the disposition of such housing.

This order shall become effective November 17, 1943.

JOHN B. BLANDFORD, Jr.,
Administrator.

[F. R. Doc. 44-339; Filed, January 6, 1944;
11:27 a. m.]

[NHA General Order 60-3C]

PART 702—PRIVATE WAR HOUSING

METHODS OF DISPOSITION

Methods of disposition of private war housing including rent levels, sales prices, and petitions to the National Housing Agency.

Supersedes NHA General Order 60-3B (8 F.R. 12080).

The National Housing Agency occupancy and disposition policies applicable to all private war housing are stated in

No. 5—2

NHA General Order No. 60-2B (*supra*). The purpose of this order is to promulgate regulations implementing such policies.

Sec.	
702.10	Definitions.
702.11	Disposition of private war housing.
702.12	Adjustment of rent or sale price.
702.13	Modification of occupancy and disposition provisions by Regional Representatives.

AUTHORITY: §§ 702.10 to 702.13, inclusive, issued under 54 Stat. 676 as amended by 55 Stat. 236 and 56 Stat. 177, 50 U.S.C. 1152; E.O. 9024, 7 F.R. 329 as amended by E.O. 9040, 7 F.R. 527, E.O. 9125, 7 F.R. 2719, E.O. 9335, 8 F.R. 5425; WPB Preference Rating Order P-55-a, 8 F.R. 2260; WPB Preference Rating Order P-55-b, 8 F.R. 4705; WPB Directive 25, 8 F.R. 8801.

§ 702.10 *Definitions*. (a) As used in this order, the following terms are defined as follows:

(1) "Private war housing," "begun," "completion," and "held for rental" shall have the meaning ascribed to them in NHA General Order No. 60-2B;

(2) "Sale price" means the total consideration paid by the purchaser for the dwelling unit described in the priority application as approved, excluding those incidental charges which a purchaser of real estate customarily assumes in the community where the real estate is located;

(3) "Shelter rent" shall have the meaning ascribed to it in NHA General Order No. 60-9 (8 F.R. 11894);

(4) "Tenant services" shall have the meaning ascribed to it in NHA General Order No. 60-9;

(5) "Room" means only a living room, dining room, sleeping room, or kitchen, except that a kitchenette or dinette is considered as one-half room each.

§ 702.11 *Disposition of private war housing*. (a) For the duration of the national emergency declared by the President on September 8, 1939, (4 F.R. 3851) all private war housing begun on or after February 10, 1943 shall be held for rental to eligible war workers as provided in NHA General Order No. 60-2B, (*supra*) at the payments specified in the application for priority assistance or authority to begin construction submitted in connection with such dwelling units, which total monthly payments (unless otherwise authorized in § 702.14 hereof) shall in no event exceed \$50 per month shelter rent per unfurnished dwelling unit plus a reasonable charge for tenant services (in no event, exceeding \$3 per month per room), plus a reasonable price for garage space, plus the actual cost on a pro rata basis of tenant gas and electricity; and, except for involuntary transfers, shall be disposed of only as follows:

(1) (i) A dwelling unit in a private war housing project may be purchased by an occupant (initial occupant or re-occupant) after two months' continuous occupancy by such occupant.

(ii) Without conforming to (i) which precludes selling except at the option of the eligible war worker occupant exercised after at least two months' rental occupancy, a dwelling unit in a private war housing project may be held for sale

or sold to an eligible war worker: *Provided*, That any sale so made shall take place not later than 15 days after the Federal Housing Administration makes its final Priority Compliance Inspection Report ("Completion Report") with respect to the unit (after which time the unit if not sold shall be held for rental as indicated in (i)): *And provided, further*, That no owner shall sell more than one-third of the units in all projects (begun on or after February 10, 1943) which he has placed under actual construction in any war housing area except such sales as are made in conformity with the requirement of holding for rental as indicated in (i), *And provided, further*, That any sale made pursuant to (ii) shall be within a price range for the general types of units intended to be sold which is acceptable to the National Housing Agency. The proposed price range shall be submitted to the Federal Housing Administration in advance of any sale by letter or other appropriate method, and in the case of all PD-105 applications filed on or after August 1, 1943 shall be submitted with the application. Any sale, either with or without prior rental occupancy, is subject to the conditions that:

(a) The sale price (except as provided in § 702.12 hereof) is not in excess of the fair market price thereof, or \$6000, whichever is lower.

(b) The purchaser is an eligible war worker under the provisions of NHA General Order No. 60-1B, and

(c) The owner submits to the National Housing Agency regional representative, through the local office of the Federal Housing Administration, an agreement in the prescribed form (Form NHA 60-1), properly executed by the purchaser, stating that such purchaser will continue to occupy the dwelling unit or will hold the dwelling unit subject to all occupancy and disposition provisions set forth in NHA General Order No. 60-2B.

A sale may be made under this paragraph (a) (1) without obtaining further approval from the National Housing Agency, provided the above-mentioned Form NHA 60-1 is submitted to the National Housing Agency regional representative, through the local office of the Federal Housing Administration, immediately following such sale.

(2) Any such housing may be transferred to a person who will not occupy any part of such housing as his (or her) own dwelling, if

(i) The sale price (except as provided in § 702.12 hereof) of each dwelling unit in such housing is not in excess of the fair market price thereof, or \$6,000, whichever is lower, and

(ii) The transferor submits to the National Housing Agency regional representative, through the local office of the Federal Housing Administration, an agreement in the prescribed form (Form NHA 60-1), properly executed by the transferee, stating that such transferee will hold the premises subject to all occupancy and disposition provisions set forth in NHA General Order No. 60-2B.

A transfer may be made under this paragraph (a) (2) without obtaining further approval from the National

Housing Agency, provided the above-mentioned Form NHA 60-1 is submitted to the National Housing Agency regional representative, through the local office of the Federal Housing Administration, immediately following such transfer.

(3) An eligible war worker under NHA General Order No. 60-1B may file an application for priority assistance for a private war housing unit suitable to his needs, and upon approval of such application may build, own and occupy such unit without conformity to rental requirements; *Provided*, That such war worker submits satisfactory evidence to the Federal Housing Administration that he has the bona fide intention and capacity to build for himself and is not being utilized to circumvent the rental requirements which exist for his protection. Any disposition of such unit by such war worker shall be subject to the rules of disposition set forth in paragraph (a).

(b) All private war housing begun prior to February 10, 1943, the ownership of which has been transferred since such housing was begun, may be rented, sold, or otherwise disposed of at the option of the owner without exception.

(c) All private war housing begun prior to February 10, 1943, which has not been transferred since such housing was begun, may be rented, sold, or otherwise disposed of at the option of the owner except that for the duration of the national emergency declared by the President on September 8, 1939:

(1) Rentals or sales prices (except for involuntary transfer and except to the extent approved prior to February 10, 1943 by the War Production Board, or subsequent to February 10, 1943 by the National Housing Agency) shall not exceed the respective maximum amounts permitted by the conditions of the application (or other instruments related thereto) for priority assistance, authority to begin construction, or exemption from Federal Reserve Board Regulation W (7 F.R. 3351) submitted in connection with such housing; and the requirements of such application (or other instruments related thereto) with respect to occupancy preference to war workers shall be complied with; or

(2) All such housing constructed with priority assistance, or with authority to begin construction, obtained from the War Production Board by filing an application for such assistance or authority on Form PD-105 (Revised 4-23-42), or Form PD-200 accompanied by a form Applicants' Supplemental Certification if such application was for authority to begin construction of housing not to be occupied by the owner, may be disposed of, except for involuntary transfers, only as provided in such application or as follows:

(i) If such application did not provide for sale, such housing may be sold subject to the provisions set forth in paragraph (a) (1) (i) above; *Provided*, That the purchaser may be a person who has occupied the housing continuously for two months and who is an eligible war worker either under the provisions of NHA General Order No. 60-1B or the provisions of the application for priority

assistance or authority to begin construction submitted in connection with such housing), or

(ii) If such application did not provide for rent or lease-option, such housing may be rented, with or without an option to purchase, after the National Housing Agency regional representative for the area in which such housing is located has approved the initial rent or the lease-option payments for such housing. Any petition requesting such an approval of the initial rent or the lease-option payments for such housing shall be submitted to a National Housing Agency regional representative, through the local office of the Federal Housing Administration, on a properly executed Form NHA 60-3. Each National Housing Agency regional representative is hereby authorized to approve in the particular case the amount of such initial rent or lease-option payments.

§ 702.12 *Adjustment of rent or sale price.* (a) The initial rent charge prior to any occupancy or the sale price for any housing accommodations in a private war housing project may be increased over the amount provided therefor in § 702.11 of this general order only when approved by the National Housing Agency. The owner of any such housing may petition the National Housing Agency to permit an increase in rent charge or sale price at any time. Any such petition shall be submitted to the National Housing Agency regional representative, through the local office of the Federal Housing Administration, on a properly executed form NHA 60-4. Each National Housing Agency regional representative is hereby authorized to grant such relief as he deems appropriate in the particular case, provided the petition for relief shows clearly that the owner has incurred, or will incur, costs in the construction or operation of such housing, over which the owner had or has no control, in excess of the costs estimated originally in connection with such housing.

(b) Any request for permission to increase the rent charge for any private war housing after such housing has been occupied initially must be submitted to the local office of the Office of Price Administration.

§ 702.13 *Modification of occupancy and disposition provisions by regional representatives.* (a) At any time subsequent to 60 days after completion of any private war housing, the original owner, or any subsequent owner, of such housing may petition the National Housing Agency to permit such housing to be disposed of otherwise than as provided above in § 702.11 (a). Any such petition shall be submitted to a National Housing Agency regional representative, through the local office of the Federal Housing Administration with the recommendation thereof, on a properly executed Form NHA 60-2. Each National Housing Agency regional representative is hereby authorized to grant such relief to persons who so petition as the National Housing Agency Regional Representative deems appropriate, in the particular case,

by relaxing the occupancy and disposition provisions applicable to such housing.

(b) Each National Housing Agency regional representative is hereby authorized on his own initiative (or on the basis of recommendations which the local office of the Federal Housing Administration may initiate) to relax the occupancy and disposition provisions applicable to any private war housing, where such action is deemed appropriate in the interests of the war housing program. When so acting, the regional representative may act without reference to whether the housing has been completed or whether it has been occupied for 60 days after completion.

(c) Any relaxation of occupancy and disposition provisions may permit a shortening of any holding period applicable to the housing involved or a liberalization of the definition of eligible war worker applicable to such housing or both; may permit a change in rent level or sale price in accordance with § 702.12 of this general order; and, in exceptional cases, where the NHA regional representative determines that there is no further need for reserving such housing for eligible war workers, the occupancy and disposition provisions may be removed entirely from such housing.

(d) Relaxation of occupancy and disposition provisions shall rest primarily upon the need to make prompt and effective use of private war housing units not needed by in-migrant war workers because of inexact forecasting in earlier programming or because of changes in contract and employment schedules after the programs were written. Relaxation in response to petitions of individual builders may be made to avoid undue hardship to the builders caused by unusual circumstances; *Provided*, That the hardship goes beyond the common hardships which result from the war and from war housing regulations; *And provided*, That on an equitable balance of all the factors the relief to the builder in the particular case would not unduly affect the war housing program in the locality.

(e) When relaxation of occupancy and disposition provisions relates to an entire locality or to a very substantial volume of private war housing, as distinguished from individual cases or relatively small volumes of housing, the regional representative shall feel free if he deems it necessary to consult with the Office of the Administrator prior to taking action. What constitutes a "very substantial volume" of private war housing varies with local conditions, but a volume amounting to more than 25 percent of the total number of private war housing units in the locality would certainly be so considered. Whether a relaxation is individual, small or substantial, the regional representative shall notify the Office of the Administrator of action taken as promptly as feasible, in order that such Office may keep abreast of current developments.

(f) When the National Housing Agency regional representative authorizes a relaxation applicable to a number of builders in the locality, the local office of the Federal Housing Administration shall be

promptly notified and requested to extend prompt notification to the builders affected. The regional representative shall also send prompt notification of all relaxations to the War Housing Center in the locality.

This order shall become effective November 12, 1943.

JOHN B. BLANDFORD, Jr.,
Administrator.

[F. R. Doc. 44-340; Filed, January 6, 1944;
11:27 a. m.]

[NHA General Order No. 60-5B]

PART 703—PUBLIC WAR HOUSING
OCCUPANCY

Supersedes NHA General Order 60-5
(8 F.R. 1832) and 60-5A (8 F.R. 3568).

Sec.

703.1 General policy.

703.2 Exclusive reservation.

703.3 Limited reservation.

703.4 Modification of occupancy provisions.

AUTHORITY: §§ 703.1 to 703.4, inclusive,
issued under E.O. 9070, 7 F.R. 1529.

§ 703.1 *General policy.* (a) The purpose of this general order is to set forth the public war housing to which occupancy standards apply, the persons who are eligible war workers for such housing, the length of time such housing must be held for their use, and the conditions under which such housing may be made available for other purposes.

§ 703.2 *Exclusive reservation.* (a) On or after February 10, 1943, initial occupancy and re-occupancy of every dwelling accommodation in all Federally-owned or leased public war housing projects under the jurisdiction or control of NHA, or any of its constituent units,¹ shall be reserved exclusively for eligible war workers, as defined in NHA General Order No. 60-1B, except (1) with respect to 4 Lanham Act mutual ownership projects under the jurisdiction of FPFA (which are substantially completed and occupied), resident as well as in-migrant civilian war workers may be admitted to occupancy, and (2) with respect to off reservation or off post projects programmed for military or naval personnel prior to July 16, 1942 (the date of the joint directive of the War Department, Navy Department and National Housing Agency), eligible military or naval personnel, as certified by the local commandant,² may be admitted to occupancy: *Provided*, That preference (without a specified reservation period) has first been given to indispensable in-migrant civilian war workers.

¹ All public war housing projects undertaken pursuant to (a) the Lanham Act (Public Act No. 849, 76th Congress) as amended (including conversion projects undertaken under the supervision of NHA Homes Use Service), (b) Public Acts Nos. 9, 73, 353, 77th Congress, and (c) Public Act No. 781, 76th Congress; all projects of Defense Homes Corporation; and all Federally-owned projects undertaken pursuant to Public Act No. 671, 76th Congress.

² In such projects, tenants are selected by the local commandant.

(b) On or after February 10, 1943, initial occupancy or re-occupancy of every dwelling accommodation in all FPFA-aided public war projects³ for which applications for priority assistance are submitted to WPB after February 10, 1943 shall be reserved exclusively for such eligible war workers, as defined in NHA General Order No. 60-1B, as are eligible for occupancy thereof under applicable state or Federal laws.⁴

(c) On or after February 10, 1943, re-occupancy of every dwelling accommodation in such Federally-owned public non-war housing projects⁵ under the jurisdiction of FPFA, as the National Housing Administrator determines are suitable to provide war housing, shall be reserved exclusively for eligible war workers as defined in NHA General Order No. 60-1B.⁶

§ 703.3 *Limited reservation.* (a) Reasonable preference for occupancy by war workers (as required by the conditions under which priority assistance was granted⁷) shall be observed with respect to all FPFA-aided public war housing projects for which applications for priority assistance were submitted to WPB prior to February 10, 1943.⁸ The local housing authorities that own and manage these projects shall be requested to conform, to the extent practicable, their management programs by reserving initial occupancy or re-occupancy in

³ Federally-aided local authority-owned Public Act No. 671 projects and priority assisted Public Act No. 412 projects.

⁴ Tenant selection, in projects included in this paragraph (b) which are located in States that have not enacted appropriate defense or war housing legislation, is subject to low income limitations of applicable state housing legislation; and with respect to those projects which are not converted to Public Act No. 671, tenant selection is subject also to the low income limitations of the United States Housing Act and of applicable state housing legislation.

⁵ FPFA-operated PWA Housing Division projects, local authority-leased PWA Housing Division projects, and non-farm housing projects transferred to FPFA from FSA pursuant to the provisions of paragraph 1 (g) of Executive Order 9070 (7 F.R. 1529).

⁶ On all projects described in this paragraph (c) where there are outstanding lease or sale agreements, compliance with the provisions of this order is subject to appropriate modification of such outstanding lease or sale agreements to conform them to the provisions of this order. On all PWA Housing Division projects, compliance with the provisions of this order is subject to the obtaining of appropriate Presidential findings and conversion to Public Act No. 671.

⁷ The conditions under which priority assistance for these projects were granted defined reasonable preference as meaning that each dwelling unit shall be reserved for occupancy by in-migrant or resident war workers for 30 days after the entire project is available for occupancy or 90 days from starting to take tenant applications, whichever period is longer.

⁸ Includes Federally-aided local authority-owned Public Act No. 671 projects and priority assisted Public Act No. 412 projects, but excludes normal low rent housing projects under Public Act No. 412 which merely obtained civilian priority assistance without a requirement of reasonable preference for war workers.

these projects to such eligible war workers (as defined in NHA General Order No. 60-1B) as are eligible under applicable state or Federal laws in the same manner as is required with respect to the projects described in § 703.2 (b) above.

§ 703.4 *Modification of occupancy provisions.* (a) Each National Housing Agency regional representative is hereby authorized on his own initiative (or on the basis of recommendations which the NHA constituent unit having control of the public war housing involved may initiate) to relax the exclusive reservation requirements for any public war housing, where such action is deemed appropriate in the interests of the war housing program. When so acting, the regional representative may act without reference to whether the housing has been completed or to how long it has been held available after completion. The regional representative shall give prompt notification of any such relaxation to the NHA constituent unit having control of the public war housing involved, in order that such unit may put the proposed relaxation into effect or discuss it further with the regional representative.

(b) The NHA constituent unit having control of any public war housing may relax the exclusive reservation requirement applicable to such housing, where such action is deemed appropriate in the interests of the war housing program: *Provided*, That the NHA constituent unit shall advise the National Housing Agency regional representative not less than 10 days prior to taking such action in order that the regional representative may have adequate opportunity if he so desires to require a further holding period for the housing involved. Such relaxations may be made without reference to whether the housing has been completed or to how long it has been held available after completion.

(c) Relaxation of the exclusive reservation requirements applicable to public war housing shall rest primarily upon the need to make prompt and effective use of public war housing units even when not needed for the precise types of war workers eligible under existing occupancy rules, because of inexact forecasting in earlier programming or because of changes in contract and employment schedules after the programs were written. After the exclusive reservation requirements have been relaxed, the NHA constituent unit having control of the public war housing involved shall permit such housing to be occupied in the following order of preference: (1) Eligible war workers under the existing rules; (2) eligible in-migrant military personnel, viz, enlisted men in the naval or military services of the United States or officers of the Army or Marine Corps not above the rank of Captain, and officers of the Navy and Coast Guard not above the grade of Lieutenant, Senior Grade, assigned to duty at military or naval reservations, posts or bases, or to duty at defense industries; (3) other civilian war workers (as defined in NHA General Order No. 60-1B) or eligible mil-

itary personnel; or (4) (in the event there is no present or anticipated demand for occupancy by such other civilian war workers or military personnel) others eligible for occupancy as determined and prescribed by the NHA constituent unit having control of the public housing involved.

(d) When relaxation of exclusive reservation requirements is contemplated for an entire locality or for a very substantial volume of public war housing, as distinguished from individual cases or relatively small volumes of housing, the regional representative shall feel free if he deems it necessary to consult with the Office of the Administrator prior to taking action. What constitutes a "very substantial volume" of public war housing varies with local conditions, but a volume amounting to more than 25 percent of the total number of public war housing units in the locality would certainly be so considered. Whether the relaxation be individual, small or substantial, the regional representative shall notify the Office of the Administrator of action taken as promptly as feasible, in order that such Office may keep abreast of current developments.

This order shall become effective November 12, 1943.

JOHN B. BLANDFORD, Jr.,
Administrator.

[F. R. Doc. 44-341; Filed, January 6, 1944;
11:27 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

[T. D. 5323]

PART 171—MISCELLANEOUS REGULATIONS RELATED TO LIQUOR

SUBPART K—REPORTS OF WHOLESALE LIQUOR DEALERS, RECTIFIERS, AND TAX-PAID BOTTLING HOUSES

Pursuant to sections 2857, 2859, 3171, and 3176, Internal Revenue Code (U.S.C., title 26, secs. 2857, 2859, 3171, 3176), the following regulations are prescribed:

§ 171.110 Additional requirements.

(a) Every producer of or dealer in distilled spirits required to submit any of the following forms, shall report, on the appropriate form, the name and address of each consignee in the column now designated "Name", as follows: Form 52A, column 2; Form 52B, column 2; Form 52C, column 2; Form 52D, Part 3, column 7; Form 52E, Parts 1 and 2, column 2; and Form 45, Part 5, column 7. In the column now designated "Address", there will be reported the name and address of the person, firm or corporation paying (by advancement or reimbursement) either tax, bottling charge, brokerage fee, handling charge, or clearance fee, indicating which are included. The heading of both columns will be amended accordingly.

(b) Where a wholesale liquor dealer ships or delivers distilled spirits to a consignee on the order of another wholesale liquor dealer detailed records of the transactions shall be kept on Record

52 by (1) the wholesale liquor dealer making the shipment or delivery, (2) the wholesale liquor dealer giving the order, and (3) the consignee if he is a wholesale liquor dealer. For example, assuming that wholesale dealer (A) ships or delivers the distilled spirits to consignee (C) on the order of wholesale dealer (B), entries will be made in Record 52 by the parties involved as follows: (1) Wholesale dealer (A) will show in his Record 52 the name and address of wholesale dealer (B), who ordered the distilled spirits, as well as the name and address of consignee (C), the person to whom the distilled spirits are actually shipped or delivered; (2) Wholesale dealer (B) will show in his Record 52 that the distilled spirits were purchased from wholesale dealer (A), giving both the name and address of (A), and will at the same time make an entry showing that the distilled spirits were shipped or delivered by (A) to consignee (C), giving the name and address of (C); and (3) Consignee (C), if a wholesale liquor dealer, will show in his Record 52 that the distilled spirits were purchased from wholesale dealer (B) and received by him from wholesale dealer (A), giving name and address of both. Transcripts of Record 52 on Forms 52A and 52B, required to be filed with the District Supervisor, will similarly show the details of such transactions.

(c) Where rectifiers, proprietors of tax-paid bottling houses, and wholesale dealers who keep records other than Record 52, are parties to transactions similar to those described in paragraph (b), they shall make similar detailed entries of such transactions in their official records, Form 45, Form 52D, Form 52C, or Form 52E, as the case may be; and the transcripts of such records, required to be filed with the District Supervisor, will likewise show the details of the transactions.

[SEAL] HAROLD N. GRAVES,
Acting Commissioner
of Internal Revenue.

Approved: January 5, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44-331; Filed, January 6, 1944,
11:28 a. m.]

[T. D. 5322]

PART 180—LIQUORS AND ARTICLES FROM PUERTO RICO, VIRGIN ISLANDS AND PHILIPPINE ISLANDS

Pursuant to sections 2857, 3171 and 3176, Internal Revenue Code (U.S.C., title 26, secs. 2857, 3171 and 3176), §§ 180.92, 180.144 and 180.178 of Regulations 24 (26 CFR, Part 180) are hereby amended to read as follows:

§ 180.92 Reports. Except as otherwise provided herein, every person required to keep the prescribed records shall file, daily, full and complete transcripts of Form 52E (Parts 1 and 2) and Record 52 on Forms 52E (Parts 1 and 2) 52A and 52B with the District Supervisor, by delivering or mailing them to

such officer on the date the transactions entered therein occurred: *Provided*, That in any case in which the District Supervisor shall direct, the transcripts shall be so filed with the Investigator in Charge instead of with the District Supervisor. The transcripts shall bear the following certification signed by the person or officer authorized to execute Form 52E or 338:

I hereby certify that these transcripts, consisting of --- pages, disclose all the transactions which occurred during the period covered thereby, and that each entry is correct.

If in any case the District Supervisor shall so authorize, the transcripts, in lieu of being filed daily, may be filed with him on or before the 10th day of the month succeeding the month in which the transactions in distilled spirits occurred. In such event, transactions will be entered on Form 52E and Record 52 in accordance with the provisions of § 180.90. Monthly summary reports on Form 52E (Part 3) and Form 338 (where Record 52 is kept) shall be prepared in duplicate, one copy of which will be retained on file and the original forwarded to the District Supervisor on or before the 10th day of the month succeeding the month in which the transactions in distilled spirits occurred. Records kept on Form 52E and Record 52 shall be preserved for a period of four years, and during such period shall be available during business hours for inspection and the taking of abstracts therefrom by the Commissioner or any internal revenue officer.

§ 180.144 Reports. Except as otherwise provided herein, every person required to keep the prescribed records shall file, daily, full and complete transcripts of Form 52E (Parts 1 and 2) and Record 52 on Forms 52E (Parts 1 and 2), 52A and 52B with the District Supervisor, by delivering or mailing them to such officer on the date the transactions entered therein occurred: *Provided*, That in any case in which the District Supervisor shall direct, the transcripts shall be so filed with the Investigator in Charge instead of with the District Supervisor. The transcripts shall bear the following certification signed by the person or officer authorized to execute Form 52E or 338:

I hereby certify that these transcripts, consisting of ----- pages, disclose all the transactions which occurred during the period covered thereby, and that each entry is correct.

If in any case the District Supervisor shall so authorize, the transcripts, in lieu of being filed daily, may be filed with him on or before the 10th day of the month succeeding the month in which the transactions in distilled spirits occurred. In such event, transactions will be entered on Form 52E and Record 52 in accordance with the provisions of § 180.142. Monthly summary reports on Form 52E (Part 3) and Form 338 (where Record 52 is kept) shall be prepared in duplicate, one copy of which will be retained on file and the original forwarded to the District Supervisor on or before the 10th day of the month succeeding

the month in which the transactions in distilled spirits occurred. Records kept on Form 52E and Record 52 shall be preserved for a period of four years, and during such period shall be available during business hours for inspection and the taking of abstracts therefrom by the Commissioner or any internal revenue officer.

§ 180.178 Reports. Except as otherwise provided herein, every person required to keep the prescribed records shall file, daily, full and complete transcripts of Form 52E (Parts 1 and 2) and Record 52 on Forms 52E (Parts 1 and 2), 52A and 52B with the District Supervisor, by delivering or mailing them to such officer on the date the transactions entered therein occurred: *Provided*, That in any case in which the District Supervisor shall direct, the transcripts shall be so filed with the Investigator in Charge instead of with the District Supervisor. The transcripts shall bear the following certification signed by the person or officer authorized to execute Form 52E or 338:

I hereby certify that these transcripts, consisting of ---- pages, disclose all the transactions which occurred during the period covered thereby, and that each entry is correct.

If in any case the District Supervisor shall so authorize, the transcripts, in lieu of being filed daily, may be filed with him on or before the 10th day of the month succeeding the month in which the transactions in distilled spirits occurred. In such event, transactions will be entered on Form 52E and Record 52 in accordance with the provisions of § 180.176. Monthly summary reports on Form 52E (Part 3) and Form 338 (where Record 52 is kept) shall be prepared in duplicate, one copy of which will be retained on file and the original forwarded to the District Supervisor on or before the 10th day of the month succeeding the month in which the transactions in distilled spirits occurred. Records kept on Form 52E and Record 52 shall be preserved for a period of four years, and during such period shall be available during business hours for inspection and the taking of abstracts therefrom by the Commissioner or any internal revenue officer.

[SEAL] HAROLD N. GRAVES,
Acting Commissioner of
Internal Revenue.

Approved: January 5, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44-330; Filed, January 6, 1944;
11:28 a. m.]

[T. D. 5314]

PART 182—INDUSTRIAL ALCOHOL REPORTS

Pursuant to sections 2857, 3101, and 3171, Internal Revenue Code (U. S. C., title 26, secs. 2857, 3101, and 3171), paragraph (c) of § 182.648 of Regulations 3 (26 CFR, Part 182) is hereby amended to read as follows:

(c) *Reports.* Except as otherwise provided herein, the proprietor shall file,

daily, full and complete transcripts of Record 52 and Form 52E (Parts 1 and 2) on Forms 52A, 52B, and 52E (Parts 1 and 2) with the District Supervisor, by delivering or mailing them to such officer on the date the transactions entered therein occurred: *Provided*, That in any case in which the District Supervisor shall direct, the transcripts shall be so filed with the Investigator in Charge instead of with the District Supervisor. The transcripts shall bear the following certification signed by the person or officer authorized to execute Form 338 or Form 52E:

I hereby certify that these transcripts, consisting of ---- pages, disclose all the transactions which occurred during the period covered thereby, and that each entry is correct.

If in any case the District Supervisor shall so authorize, the transcripts, in lieu of being filed daily, may be filed with him on or before the 10th day of the month succeeding the month in which the transactions in tax-paid alcohol occurred. In such event, transactions will be entered on Record 52 and Form 52E in accordance with the provisions of paragraph (a). Monthly summary reports on Form 338 (where Record 52 is kept) and Form 52E (Part 3) shall be prepared in duplicate, one copy of which will be retained on file and the original forwarded to the District Supervisor on or before the 10th day of the month succeeding the month in which the transactions in tax-paid alcohol occurred. Where the proprietor keeps Record 52, and there are no receipts or disposals of bottled alcohol during the day or the month, as the case may be, Forms 52A and 52B need not be submitted; but Form 338 must be rendered monthly to the District Supervisor, showing the quantity of bottled alcohol on hand the first and last of the month and marked "No transactions during month." Records kept on Record 52 and Form 52E shall be preserved for a period of four years, and during such period shall be available during business hours for inspection and the taking of abstracts therefrom by the Commissioner or any internal revenue officer.

[SEAL] HAROLD N. GRAVES,
Acting Commissioner of
Internal Revenue.

Approved: January 5, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44-322; Filed, January 6, 1944;
11:30 a. m.]

[T. D. 5315]

PART 183—PRODUCTION OF DISTILLED SPIRITS REPORTS

Pursuant to sections 2857, 2859 and 3176, Internal Revenue Code (U.S.C., title 26, secs. 2857, 2859 and 3176), § 183.406 of Regulations 4 (26 CFR, Part 183) is hereby amended to read as follows:

§ 183.406 Reports. Except as otherwise provided herein, the proprietor shall file, daily, full and complete transcripts

of Record 52 and Forms 52C and 52E (Parts 1 and 2) on Forms 52A, 52B, 52C and 52E (Parts 1 and 2) with the District Supervisor, by delivering or mailing them to such officer on the date the transactions entered therein occurred: *Provided*, That in any case in which the District Supervisor shall direct, the transcripts shall be so filed with the Investigator in Charge instead of with the District Supervisor. The transcripts shall bear the following certification signed by the person or officer authorized to execute Form 338, 52C, or 52E:

I hereby certify that these transcripts, consisting of -- pages, disclose all the transactions which occurred during the period covered thereby, and that each entry is correct.

If in any case the District Supervisor shall so authorize, the transcripts, in lieu of being filed daily, may be filed with him on or before the 10th day of the month succeeding the month in which the transactions in distilled spirits occurred. In such event, transactions will be entered on Record 52, Form 52C, and Form 52E in accordance with the provisions of § 183.404. Monthly summary reports on Form 338 (where Record 52 is kept) and Form 52E (Part 3) shall be prepared in duplicate, one copy of which will be retained on file and the original forwarded to the District Supervisor on or before the 10th day of the month succeeding the month in which the transactions in distilled spirits occurred. Records kept on Record 52 and Forms 52C and 52E shall be preserved for a period of four years, and during such period shall be available during business hours for inspection and the taking of abstracts therefrom by the Commissioner or any internal revenue officer.

[SEAL] HAROLD N. GRAVES,
Acting Commissioner
of Internal Revenue.

Approved: January 5, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44-323; Filed, January 6, 1944;
11:29 a. m.]

[T. D. 5316]

PART 184—PRODUCTION OF BRANDY REPORTS

Pursuant to sections 2857 and 3176, Internal Revenue Code (U.S.C., title 26, secs. 2857 and 3176), § 184.425 of Regulations 5 (26 CFR, Part 184) is hereby amended to read as follows:

§ 184.425 Reports. Except as otherwise provided herein, the proprietor shall file, daily, full and complete transcripts of Record 52 and Form 52E (Parts 1 and 2) on Forms 52A, 52B, and 52E (Parts 1 and 2) with the District Supervisor, by delivering or mailing them to such officer on the date the transactions entered therein occurred: *Provided*, That in any case in which the District Supervisor shall direct, the transcripts shall be so filed with the Investigator in Charge instead of with the District Supervisor. The transcripts shall bear the following certification

signed by the person or officer authorized to execute Form 338 or 52E:

I hereby certify that these transcripts, consisting of ---- pages, disclose all the transactions which occurred during the period covered thereby, and that each entry is correct.

If in any case the District Supervisor shall so authorize, the transcripts, in lieu of being filed daily, may be filed with him on or before the 10th day of the month succeeding the month in which the transactions in distilled spirits occurred. In such event, transactions will be entered on Record 52 and Form 52E in accordance with the provisions of § 184.423. Monthly summary reports on Form 338 (where Record 52 is kept) and Form 52E (Part 3) shall be prepared in duplicate, one copy of which will be retained on file and the original forwarded to the District Supervisor on or before the 10th day of the month succeeding the month in which the transactions in distilled spirits occurred. Records kept on Record 52 and Form 52E shall be preserved for a period of four years, and during such period shall be available during business hours for inspection and the taking of abstracts therefrom by the Commissioner or any internal revenue officer.

[SEAL] HAROLD N. GRAVES,
Acting Commissioner of
Internal Revenue.

Approved: January 5, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44-328; Filed, January 6, 1944;
11:29 a. m.]

[T. D. 5317]

PART 185—WAREHOUSING OF DISTILLED SPIRITS REPORTS

Pursuant to sections 2857, 2859 and 3176, Internal Revenue Code (U.S.C., title 26, secs. 2857, 2859, and 3176), § 185.478 of Regulations 10 (26 CFR, Part 185) is hereby amended to read as follows:

§ 185.478 *Reports.* Except as otherwise provided herein, the proprietor shall file, daily, full and complete transcripts of Record 52 and Forms 52C and 52E (Parts 1 and 2) on Forms 52A, 52B, 52C and 52E (Parts 1 and 2) with the District Supervisor, by delivering or mailing them to such officer on the date the transactions entered therein occurred: *Provided*, That in any case in which the District Supervisor shall direct, the transcripts shall be so filed with the Investigator in Charge instead of with the District Supervisor. The transcripts shall bear the following certification signed by the person or officer authorized to execute Form 338, 52C, or 52E:

I hereby certify that these transcripts, consisting of ---- pages, disclose all the transactions which occurred during the period covered thereby, and that each entry is correct.

If in any case the District Supervisor shall so authorize, the transcripts, in lieu of being filed daily, may be filed with

him on or before the 10th day of the month succeeding the month in which the transactions in distilled spirits occurred. In such event, transactions will be entered on Record 52, Form 52C and Form 52E in accordance with the provisions of § 185.476. Monthly summary reports on Form 338 (where Record 52 is kept) and Form 52E (Part 3) shall be prepared in duplicate, one copy of which will be retained on file and the original forwarded to the District Supervisor on or before the 10th day of the month succeeding the month in which the transactions in distilled spirits occurred. The proprietor shall also file a monthly report on Part 2 of Form 52C, in duplicate, with the District Supervisor on or before the 10th day of the succeeding month. Records kept on Record 52 and Forms 52C and 52E shall be preserved for a period of four years, and during such period shall be available during business hours for inspection and the taking of abstracts therefrom by the Commissioner or any internal revenue officer.

[SEAL] HAROLD N. GRAVES,
Acting Commissioner of
Internal Revenue.

Approved: January 5, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44-324; Filed, January 6, 1944;
11:29 a. m.]

[T. D. 5318]

PART 189—BOTTLING OF TAX-PAID DISTILLED SPIRITS REPORTS

Pursuant to sections 2857 and 3176, Internal Revenue Code (U.S.C., title 26, secs. 2857 and 3176), § 189.135 or Regulations 11 (26 CFR, Part 189) is hereby amended to read as follows:

§ 189.135 *Reports.* Except as otherwise provided herein, the proprietor shall file, daily, full and complete transcripts of Form 52D (Part 3) and Record 52 on Forms 52D (Part 3), 52A and 52B with the District Supervisor, by delivering or mailing them to such officer on the date the transactions entered therein occurred: *Provided*, That in any case in which the District Supervisor shall direct, the transcripts shall be so filed with the Investigator in Charge instead of with the District Supervisor. The transcripts shall bear the following certification signed by the person or officer authorized to execute Form 338 or 52D:

I hereby certify that these transcripts, consisting of ---- pages, disclose all the transactions which occurred during the period covered thereby, and that each entry is correct.

If in any case the District Supervisor shall so authorize, the transcripts, in lieu of being filed daily, may be filed with him on or before the 10th day of the month succeeding the month in which the transactions occurred. In such event, transactions will be entered on Form 52D and Record 52 in accordance with the provisions of § 189.133. A full and complete

transcript of Form 52D (except Part 3 where such part is filed daily) shall be prepared and forwarded to the District Supervisor on or before the 10th day of the month succeeding the month in which the transactions occurred. Where Record 52 is kept, a monthly summary report on Form 338 shall be prepared in duplicate, one copy of which will be retained on file and the original forwarded to the District Supervisor on or before the 10th day of the month succeeding the month in which the transactions occurred. Records kept on Form 52D and Record 52 shall be preserved for a period of four years, and during such period shall be available during business hours for inspection and the taking of abstracts therefrom by the Commissioner or any internal revenue officer.

[SEAL] HAROLD N. GRAVES,
Acting Commissioner of
Internal Revenue.

Approved: January 5, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44-325; Filed, January 6, 1944;
11:29 a. m.]

[T. D. 5319]

PART 190—RECTIFICATION OF SPIRITS AND WINES REPORTS

Pursuant to sections 2801 (e) (1), 2855, 2857 and 3176, Internal Revenue Code (U.S.C., title 26, secs. 2801 (e) (1), 2855, 2857, and 3176), § 190.434 of Regulations 15 (26 CFR, Part 190) is hereby amended to read as follows:

§ 190.434 *Reports.* Except as otherwise provided herein, the proprietor shall file, daily, full and complete transcripts of Form 45 (Part 5) and Record 52 on Forms 45 (Part 5), 52A and 52B with the District Supervisor, by delivering or mailing them to such officer on the date the transactions entered therein occurred: *Provided*, That in any case in which the District Supervisor shall direct, the transcripts shall be so filed with the Investigator in Charge instead of with the District Supervisor. The transcripts shall bear the following certification signed by the person or officer authorized to execute Form 45 or 338:

I hereby certify that these transcripts, consisting of ---- pages, disclose all the transactions which occurred during the period covered thereby, and that each entry is correct.

If in any case the District Supervisor shall so authorize, the transcripts, in lieu of being filed daily, may be filed with him on or before the 10th day of the month succeeding the month in which the transactions occurred. In such event, transactions will be entered on Form 45 and Record 52 in accordance with the provisions of § 190.430. A full and complete transcript of Form 45 (except Part 5 where such part is filed daily) shall be prepared and forwarded to the District Supervisor on or before the 10th day of the month succeeding the month in which the transactions occurred.

Where Record 52 is kept, a monthly summary report shall be prepared on Form 338, in duplicate, one copy of which will be retained on file and the original forwarded to the District Supervisor on or before the 10th day of the month succeeding the month in which the transactions occurred. The District Supervisor will, after audit, forward one copy of Form 45 to the Commissioner not later than the last day of the month succeeding that for which the report is rendered, and will retain the remaining copy.

[SEAL]

HAROLD N. GRAVES,
Acting Commissioner of
Internal Revenue.

Approved: January 5, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44-326; Filed, January 6, 1944;
11:29 a. m.]

[T. D. 5321]

PART 191—IMPORTATION OF DISTILLED SPIRITS AND WINES

REPORTS

Pursuant to sections 2857, 3171, and 3176, Internal Revenue Code (U. S. C., title 26, secs. 2857, 3171, 3176), § 191.61 of Regulations 21 (26 CFR, Part 191) is hereby amended to read as follows:

§ 191.61 *Reports.* Except as otherwise provided herein, the importer shall file, daily, full and complete transcripts of Form 52E (Parts 1 and 2) or Record 52, as the case may be, on Forms 52E (Parts 1 and 2), 52A and 52B with the District Supervisor, by delivering or mailing them to such officer on the date the transactions entered therein occurred: *Provided*, That in any case in which the District Supervisor shall direct, the transcripts shall be so filed with the Investigator in Charge instead of with the District Supervisor. The transcripts shall bear the following certification signed by the person or officer authorized to sign Form 52E or 338:

I hereby certify that these transcripts, consisting of _____ pages, disclose all the transactions which occurred during the period covered thereby, and that each entry is correct.

If in any case the District Supervisor shall so authorize, the transcripts, in lieu of being filed daily, may be filed with him on or before the 10th day of the month succeeding the month in which the transactions in distilled spirits occurred. In such event, transactions will be entered on Form 52E and

Record 52 in accordance with the provisions of § 191.59. Monthly summary reports on Form 52E (Part 3) and Form 338 (where Record 52 is kept) shall be prepared in duplicate, one copy of which will be retained on file and the original forwarded to the District Supervisor on or before the 10th day of the month succeeding the month in which the transactions in distilled spirits occurred. Records kept on Form 52E and Record 52 shall be preserved for a period of four years, and during such period shall be available during business hours for inspection and the taking of abstracts therefrom by the Commissioner or any internal revenue officer.

[SEAL]

HAROLD N. GRAVES,
Acting Commissioner of
Internal Revenue.

Approved: January 5, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44-329; Filed, January 6, 1944;
11:28 a. m.]

[T. D. 5320]

PART 194—WHOLESALE AND RETAIL DEALERS IN LIQUORS

REPORTS

Pursuant to section 2857, Internal Revenue Code (U. S. C., Title 26, sec. 2857) § 194.80 (a) of Regulations 20 (26 CFR, Part 194) is hereby amended to read as follows:

§ 194.80 *Reports.* (a) Except as otherwise provided herein, a wholesale liquor dealer shall file, daily, transcripts of Record 52 on Forms 52A and 52B with the District Supervisor, by delivering or mailing them to such officer on the date the transactions entered therein occurred: *Provided*, That in any case in which the District Supervisor shall direct, the transcripts shall be so filed with the Investigator in Charge instead of with the District Supervisor. The transcripts shall bear the following certification signed by the person or officer authorized to execute Form 338:

I hereby certify that these transcripts, consisting of _____ pages, disclose all the transactions which occurred during the period covered thereby, and that each entry is correct.

If in any case the District Supervisor shall so authorize, the transcripts, in lieu of being filed daily, may be filed with him on or before the 10th day of the month succeeding the month in which the transactions in distilled spirits occurred. In such event, transactions will

be entered on Record 52 in accordance with the provisions of § 194.75 (b). Summary report on Form 338 shall be filed with the District Supervisor on or before the 10th day of the month succeeding the month in which the transactions in distilled spirits occurred. Record 52 shall be preserved for a period of four years and, during such period, shall be available during business hours for inspection and the taking of abstracts therefrom by any internal revenue officer.

[SEAL]

HAROLD N. GRAVES,
Acting Commissioner of
Internal Revenue.

Approved: January 5, 1944.

JOHN L. SULLIVAN,
Acting Secretary of the Treasury.

[F. R. Doc. 44-327; Filed, January 6, 1944;
11:28 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices

[1944 Dept. Circ. 1]

PART 129—VALUES OF FOREIGN MONEYS FIRST QUARTER OF 1944

JANUARY 1, 1944.

§ 129.7 *Calendar year 1944—(a) Quarter beginning January 1, 1944.* Pursuant to section 522, title IV, of the Tariff Act of 1930, reenacting section 25 of the act of August 27, 1894, as amended, the following estimates by the Director of the Mint of the values of foreign monetary units are hereby proclaimed to be the values of such units in terms of the money of account of the United States that are to be followed in estimating the value of all foreign merchandise exported to the United States during the quarter beginning January 1, 1944, expressed in any such foreign monetary units: *Provided, however*, That if no such value has been proclaimed, or if the value so proclaimed varies by 5 per centum or more from a value measured by the buying rate in the New York market at noon on the day of exportation, conversion shall be made at a value measured by such buying rate, as determined and certified by the Federal Reserve Bank of New York and published by the Secretary of the Treasury pursuant to the provisions of section 522, title IV, of the Tariff Act of 1930.

(Sec. 25, 28 Stat. 552; sec. 403, 42 Stat. 17; sec. 522, 42 Stat. 974; sec. 522, 46 Stat. 739; 31 U.S.C. 372)

[SEAL]

D. W. BELL,
Acting Secretary of the Treasury.

VALUES OF FOREIGN MONETARY UNITS (AT PAR AS REGARDS GOLD UNITS; NONGOLD UNITS HAVE NO FIXED PAR WITH GOLD)

Country	Monetary unit	Value in terms of U. S. money	Remarks
Argentina Republic.....	Peso.....	\$1.6335	Given valuation is of gold peso. Paper nominally convertible at 44% of face value. Conversion suspended Dec. 16, 1929.
Australia.....	Pound.....	8.2397	Control of gold stocks and exports authorized Dec. 17, 1929.
Belgium.....	Belga.....	.1695	By decree of Mar. 31, 1936. One belga equals 5 Belgian francs. The Anglo-Belgian financial agreement of June 7, 1940, fixed the rate of exchange of the Belgian franc and the franc of the Belgian Congo at 176.625 francs for £1 sterling.
Bolivia.....	Boliviano.....	.6180	Conversion of notes into gold suspended Sept. 23, 1931.
Brazil.....	Cruzeiro (Milreis)	.0806	Based upon official rate for cruzeiro in terms of the dollar as announced by the Bank of Brazil. Conversion of Stabilization-Office notes into gold suspended Nov. 22, 1930. Under decree law of October 6, 1942, the cruzeiro became the unit of currency, replacing the milreis.
British Honduras.....	Dollar.....	1.6631	Conversion of notes suspended.
Bulgaria.....	Lev.....	.0122	Exchange control established Oct. 15, 1931.
Canada.....	Dollar.....	1.6931	Embargo on export of gold, Oct. 19, 1931; redemption of Dominion notes in gold suspended Apr. 10, 1933.

VALUES OF FOREIGN MONETARY UNITS—Continued

Country	Monetary unit	Value in terms of U. S. money	Remarks
Chile	Peso	\$0.2060	Given valuation is of gold peso. Gold pesos are received for conversion at the rate of 4 paper pesos for one gold peso. Conversion of notes suspended July 30, 1931.
China	Yuan		Silver standard abandoned by decree of Nov. 3, 1935; bank notes made legal tender under Currency Board control; exchange rate for yuan fixed at 20 to the U. S. dollar by Stabilization Board of China, July 10, 1942.
Hong Kong	Dollar		Treasury notes and notes of the three banks of issue made legal tender by silver nationalization ordinance of Dec. 5, 1935; exchange fund created to control exchange rate.
Colombia	Peso	.5714	Obligation to sell gold suspended Sept. 24, 1931. New gold content of .56424 grams of gold $\frac{1}{10}$ fine established by monetary law of Nov. 19, 1938, effective Nov. 30, 1938.
Costa Rica	Colon	.7879	Conversion of notes into gold suspended Sept. 18, 1914; exchange control established Jan. 16, 1932.
Cuba	Peso	1.0000	By law of May 25, 1934.
Czechoslovakia	Koruna		
Denmark	Krone	.4537	Conversion of notes into gold suspended Sept. 29, 1931.
Dominican Republic	Dollar	1.6931	U. S. money is principal circulating medium.
Ecuador	Sucre	.3386	Conversion of notes into gold suspended Feb. 9, 1932.
Egypt	Pound (100 piasters)	8.3692	Conversion of notes into gold suspended Sept. 21, 1931.
Estonia	Kroon	.4537	Conversion of notes into gold suspended June 28, 1933.
Finland	Markka	.0426	Conversion of notes into gold suspended Oct. 12, 1931.
France	Franc		Provisions of monetary law of Oct. 1, 1936, providing for gold content of franc, superseded by decree of June 30, 1937, which stated that the gold content of the franc shall be fixed ultimately by a decree adopted by the Council of Ministers. Until issuance of such decree a stabilization fund shall regulate the relationship between the franc and foreign currencies.
Germany	Reichsmark	.4033	Exchange control established July 13, 1931.
Great Britain	Pound Sterling	8.2397	Obligation to sell gold at legal monetary par suspended Sept. 21, 1931.
Greece	Drachma	.0220	Conversion of notes into gold suspended Apr. 26, 1932.
Guatemala	Quetzal	1.6931	Conversion of notes into gold suspended Mar. 6, 1933.
Haiti	Gourde	.2000	National bank notes redeemable on demand in U. S. dollars.
Honduras	Lempira	.3466	Gold exports prohibited Mar. 27, 1931; lempira circulates as equivalent of half of U. S. dollar.
Hungary	Pengő	.2961	Exchange control established July 17, 1931.
India (British)	Rupee	.6180	Obligation to sell gold at legal monetary par suspended Sept. 21, 1931.
Indo-China	Piaster		Piaster pegged to French franc at the rate of 1 piaster=10 French francs; conversion of notes into gold suspended Oct. 2, 1936.
Ireland	Pound	8.2397	Conversion of notes into gold suspended Sept. 21, 1931.
Italy	Lira	.0526	New gold content of 46.77 milligrams of fine gold per lira established by monetary law of Oct. 5, 1936.
Japan	Yen	.8440	Embargo on gold exports Dec. 13, 1931.
Latvia	Lat		Currency pegged to sterling Sept. 28, 1935, at 2,522 lati=£100; on Sept. 13, 1939, a law was passed providing that if the pound sterling should depreciate by more than 5 percent with respect to the United States dollar, or the Swedish krona, the Bank of Latvia shall take steps to keep the rate of exchange of the lat stable by basing it on gold or some other monetary unit.
Liberia	Dollar	1.6931	U. S. money is principal circulating medium.
Lithuania	Litas	.1693	Free export of gold suspended Oct. 1, 1935.
Mexico	Peso		Decree of Aug. 28, 1936, left the monetary unit, the peso, to be later defined by law.
Netherlands and colonies	Guilder (florin)	.6806	Suspension of convertibility of notes into gold and restrictions placed on free gold exports—Sept. 26, 1936; gold export prohibition repealed by decree June 28, 1938; prohibition restored by Act of Nov. 25, 1938. The Anglo-Netherlands financial agreement of June 14, 1940, established the official rate of exchange between the Netherlands Indies guilder and the pound sterling at 7.60 guilders for £1 sterling. By act of September 20, 1940, the Netherlands Indies Volksraad decided, subject to later ratification by law, that the Java Bank shall fix the value of its stocks of gold coin and bullion at Fl. 2.121 per kilogram fine.
Newfoundland	Dollar	1.6931	Newfoundland and Canadian notes legal tender.
New Zealand	Pound	8.2397	Conversion of notes into gold suspended and export of gold restricted, Aug. 5, 1914; exchange regulations Dec. 1931.
Nicaragua	Cordoba	1.6933	Embargo on gold exports Nov. 13, 1931.
Norway	Krone	.4537	Conversion of notes into gold suspended Sept. 29, 1931.
Panama	Balboa	1.0000	U. S. money is principal circulating medium.
Paraguay	Guarani		New unit established by decree law Oct. 5, 1943, effective 30 days later; not tied to gold. Certain prior-dated obligations, etc., expressed in the gold peso (oro sellado) are converted as equivalent to $\frac{1}{14}$ Guaranis. Initial exchange rate fixed by Bank of the Republic of Paraguay at 1 Guarani equals U. S. \$.3255. Exchange control established June 28, 1932.
Persia (Iran)	Rial	.0824	Obligation to pay out gold deferred Mar. 13, 1932; exchange control established Mar. 1, 1936.
Peru	Sol	.4740	Conversion of notes into gold suspended May 18, 1932.
Philippine Islands	Peso	.5000	By act approved Mar. 16, 1935.
Poland	Zloty	.1899	Exchange control established Apr. 27, 1936.
Portugal	Escudo	.0749	Gold exchange standard suspended Dec. 31, 1931.
Rumania	Leu	.0161	Exchange control established May 18, 1932.
Salvador	Colon	.8466	Conversion of notes into gold suspended Oct. 7, 1931.
Spain	Peseta		
Straits Settlements	Dollar	.9613	British pound sterling and Straits dollar and half dollar legal tender.
Sweden	Krona	.4537	Conversion of notes into gold suspended Sept. 29, 1931.
Switzerland	Franc		Order of Federal Council enacted Sept. 27, 1936, instructed the Swiss National Bank to maintain the gold parity of the franc at a value ranging between 190 and 215 milligrams of fine gold.
Thailand (Siam)	Baht (Tical)	.7491	Conversion of notes into gold suspended May 11, 1932.
Turkey	Piaster	.0744	100 piasters equal to the Turkish £; conversion of notes into gold suspended 1916; exchange control established Feb. 26, 1930.
Union of South Africa	Pound	8.2397	Conversion of notes into gold suspended Dec. 28, 1932.
Union of Soviet Republics	Chervonetz	8.7123	One chervonetz equals 10 rubles. Notes not convertible into gold.
Uruguay	Peso	.6883	Conversion of notes into gold suspended Aug. 2, 1914; exchange control established Sept. 7, 1931. New gold content of .585018 grams of pure gold per peso established by monetary law of Jan. 12, 1938.
Venezuela	Bolivar	.3267	Exchange control established Dec. 12, 1936.
Yugoslavia	Dinar	.0298	Exchange control established Oct. 7, 1931.

[F. R. Doc. 44-238; Filed, January 5, 1944; 1:55 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—War Production Board

Subchapter B—Executive Vice-Chairman

AUTHORITY: Regulations in this subchapter issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; W.P.B. Reg. 1 as amended March 24, 1943, 8 F.R. 3666, 3696; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727.

PART 1010—SUSPENSION ORDERS

[Suspension Order S-480]

LYNN DYEING & FINISHING CO., INC.

Lynn Dyeing and Finishing Company, Inc., of 51-61 Keen Street, Paterson, New Jersey, is engaged in the business of dyeing textiles, in which it uses dyes with anthraquinone derivatives which are controlled by Conservation Order M-103.

During the third and fourth quarters of 1942 and the first quarter of 1943 it used six hundred pounds of such dyes in excess of the amount allocated to it by the War Production Board. Such excessive use was the result of gross negligence in failing to comply with the conditions of the allocation made to the company on October 31, 1942, together with its purchase of such dyes in the first quarter of 1943 although no quota had been assigned

to it for that period. Its conduct must be deemed wilful.

The present quota for anthraquinone Class C dyestuffs contained in Conservation Order M-103 is expressed in dollars, rather than pounds, and the formula is, in substance, \$1.50 to the pound.

These violations of Conservation Order M-103 have hampered and impeded the war effort of the United States by diverting scarce materials to uses unauthorized by the War Production Board. In view of the foregoing, it is hereby ordered, that:

§ 1010.480 *Suspension Order No. S-480* (a) During each of the first three calendar quarters of 1944, Lynn Dyeing and Finishing Company, Inc., its successors or assigns, shall abstain from receiving in any quarter, and no person shall sell or deliver to Lynn Dyeing and Finishing Company, Inc., its successors or assigns, anthraquinone Class C dyestuffs of a value in excess of the difference between its duly allotted quota for such period, calculated in dollars, and the sum of three hundred (\$300) dollars, unless otherwise authorized in writing by the War Production Board.

(b) Nothing contained in this order shall be deemed to relieve Lynn Dyeing and Finishing Company, Inc., its successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the War Production Board, except in so far as the same may be inconsistent with the provisions hereof.

(c) This order shall take effect on issuance and shall expire on September 30, 1944.

Issued this 5th day of January 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-275; Filed, January 5, 1944;
4:41 p. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 3, Int. 8]

ELECTRONIC INTERCOMMUNICATING SYSTEMS AND WIRE INTERCOMMUNICATING SYSTEMS

The following interpretation is issued with respect to Priorities Reg. 3:

List B of Priorities Regulation 3 (§ 944.23) forbids the use of blanket MRO ratings to obtain electronic intercommunicating systems or wire intercommunicating systems. This restriction applies only to getting systems not yet installed. Therefore, blanket MRO ratings may be used to obtain repair parts and materials for existing intercommunicating systems. Also, those blanket MRO ratings which may be used for minor capital additions, may within prescribed dollar limits be used to add stations to an existing intercommunicating system to bring it to its designed capacity. Thus, if an intercommunicating system is designed for 16 stations, with only 12 stations originally installed, four stations may be added by the use of blanket MRO ratings. However, an expansion beyond the 16 stations, or any enlargement of or an extension beyond the

No. 5—3

designed capacity, may not be obtained by use of blanket MRO ratings.

In conjunction with the above interpretation, it should be pointed out that a related item, signal and alarm equipment, also appears on List B of Priorities Regulation 3. With respect to signal and alarm equipment, blanket MRO ratings may be used to get parts and materials for repair and maintenance of existing equipment. However, since signal and alarm equipment is generally installed without a specific margin of unused designed capacity, no additions or extensions by the use of blanket MRO ratings are permitted.

Issued this 6th day of January 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-299; Filed, January 6, 1944;
11:25 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[PR 11, Rev.]

PRODUCTION REQUIREMENTS PLAN

Section 944.32 *Priorities Regulation No. 11* is revoked. This revocation does not affect any liability incurred under the regulation. The manufacture and delivery of products and materials remain subject to all other applicable regulations and orders of the War Production Board.

Issued this 6th day of January 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-300; Filed, January 6, 1944;
11:25 a. m.]

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[PR 11A, Rev.]

PRODUCTION REQUIREMENTS PLAN

Section 944.32A *Priorities Regulation No. 11A* is revoked. This revocation does not affect any liability incurred under the regulation. The manufacture and delivery of products and materials remain subject to all other applicable regulations and orders of the War Production Board.

Issued this 6th day of January 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-301; Filed, January 6, 1944;
11:25 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Regulation 1 as Amended Oct. 4, 1943, Amdt. 1]

Insert "slugs" under the item "sheet, strip, plate and foil" under the general heading "Aluminum" in Schedule I.

Issued this 6th day of January 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-302; Filed, January 6, 1944;
11:22 a. m.]

PART 3175—REGULATIONS APPLICABLE TO THE CONTROLLED MATERIALS PLAN

[CMP Reg. 1, Direction 42]

COPPER POWDER

The following direction is issued pursuant to CMP Regulation 1:

(a) Powders made from copper or copper-base alloys which were classified as controlled materials beginning with the fourth quarter of 1943, will cease to be controlled materials beginning January 1, 1944.

(b) During the first quarter of 1944, producers of such powders may deliver them either on authorized controlled materials orders or on orders placed by customers who have been authorized on Form WPB-2959 to receive such powders. After March 31, 1944, producers of such powders may deliver them only on orders placed pursuant to an authorization on Form WPB-2959.

(c) Applications by producers of such powders (either metallurgical or flake) for materials to make them should be filed on Form WPB-2959. Applications by users of such powders (either metallurgical or flake) for authority to purchase them should be filed on Form WPB-2959.

(d) During the first quarter of 1944 applications may be made on Form WPB-2959 by users of such powders, even though they have received an allotment. If a user who has received an allotment of copper or copper-base alloy foundry products for the first quarter of 1944 to cover his requirements for such powders during that quarter elects to file an application on Form WPB-2959 for authority to purchase such powders during any month of the first quarter of 1944 he is limited in the amount of such powders which he can buy during the month by the amount authorized on Form WPB-2959, regardless of the amount allotted to him.

Issued this 6th day of January 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-303; Filed, January 6, 1944;
11:22 a. m.]

PART 3176—SHIPBUILDING

[Limitation Order L-252, as Amended Jan. 6, 1944]

VALVES AND VALVE PARTS

The fulfillment of requirements for the defense of the United States has created a shortage of steel, copper, and other critical materials used in the manufacture of valves and valve parts, for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3176.1 *Limitation Order L-252—(a) Definitions.* Wherever used in this order:

(1) "Producer" means any person who manufactures valves and valve parts.

(2) "Valves" means gate, globe, angle, cross, lift check, angle check, or swing check valves (including variations of those types, such as the valves generally referred to as quick opening, blow off, hose end, Y-type and hydraulic), except drilling through and flow line valves for oil production service. This definition does not include valves of the types generally referred to as "specialties".

(3) "Valve parts" means parts for valves as defined above.

(4) "Put into process" means to process, machine, or fabricate or in any other manner alter any material by physical or chemical means.

(b) *Limitations.* Except as specifically authorized by the War Production Board, no producer shall after May 1, 1943, put into process or cause to be put into process, any material to be incorporated into valves or valve parts, except for the manufacture of valves and valve parts which conform to the specifications contained in the Appendix attached to and a part of this order, or for the manufacture of:

(i) Valves

(i) The bodies or bonnets of which were cast or forged before May 1, 1943;

(ii) For use as part of the equipment of aircraft or watercraft other than pleasure craft; or

(iii) For the conduction of liquid or gas having chemical or physical properties which render the use of valves described in the Appendix dangerous or impractical; and

(2) Valve parts for repair of valves which are completed on May 1, 1943, or which are produced thereafter in accordance with the provisions of paragraph (b) (1) of this order.

(c) *Restricted deliveries.* Except as specifically authorized by the War Production Board:

(1) No producer shall sell or make delivery of any valves or valve parts manufactured in violation of the terms of this order, and

(2) No person shall knowingly purchase or accept delivery of any valve or valve part produced in violation of this order.

(d) *Order superseded.* The provisions of this order supersede the provisions of Schedule No. 1 of Limitation Order L-42.

(e) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to the provisions of all applicable priorities regulations.

(f) *Records.* Each producer shall retain in his files for a period of two years records showing his inventory and production of all valves, including those for the manufacture of which material was put into process subsequent to May 1, 1943. These records shall be kept readily available and open to inspection by duly authorized representatives of the War Production Board.

(g) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate referring to the particular provision appealed from and stating fully the grounds of the appeal.

(h) *Violations.* Any person who wilfully violates any provision of this order or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction, may be punished by fine or imprisonment or both. In addition any such person may be prohibited from making or obtaining further deliveries of, or from

processing or using, material under priority control, and may be deprived of priorities assistance.

(i) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: Shipbuilding Division, War Production Board, Washington, 25 D. C., Ref.: L-252.

Issued this 6th day of January 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX

Specifications for Valves and Valve Parts

The following specifications govern the manufacture of valves and valve parts. These

TABLE 1

[All size ranges are inclusive]

Primary pressure classifications in pounds per square inch		Gates (inches)			Globe and angle (inches)		Lift check (inches)		Swing check (inches)		
Steam	Water	Screwed	Flanged	Hub	Screwed	Flanged	Screwed	Flanged	Screwed	Flanged	Hub
25	50		4 to 72	4 to 72							
125	100		4 to 72	4 to 72							
150	150 to 200	2 to 6	2 to 72	2 to 72	2 to 4	2 to 10	2 to 4	3 to 6	2 to 6	2 to 24	4 to 24
250	250	1 1/4 to 3	1 to 3		1 1/4 to 3	1 to 3	1 1/4 to 3		1 1/4 to 3		
300	500	2 to 4	2 to 24		2 to 4	2 to 6	2 to 4		2 to 4	2 to 12	
	8 to 10	1 1/4 to 3	1 to 3		1 1/4 to 3	1 to 3			1 1/4 to 3		
		2 to 6	3 to 12						3 to 12		

¹ The primary pressure classification designates a class of valves and does not necessarily mean that all sizes in a given class carry the primary pressure classification. American Standards Association standards and manufacturers practice frequently reduce the pressure ratings as size increases and may not always rate valves for both steam and water.

² In sizes 3" and smaller the 150# and 300# primary pressure classification valves are included as substitutes for brass valves. Flanged valves may be rated in accordance with the American Flange Standard used.

NOTE: Other valve end connections in common use on the date of issuance of this order, including among others, the types known as Victaulic, Dresser and Universal, may be manufactured, but only in accordance with the specifications listed in Table 1. For the purposes of this order, "common use" means use by at least ten companies.

(b) Detail of permitted sizes (see 1 (a) above):

TABLE 2
(Sizes in inches)

1/4	4	24
3/8	5	30
1/2	6	36
3/4	8	42
1	10	48
1 1/4	12	54
1 1/2	14	60
2	16	66
2 1/2	18	72
3	20	

2. General requirements for iron valves.

(a) End flanges shall conform to American Standards Association standards for corresponding pressure classes, except that for 150# and 300# valves when made of malleable iron as substitutes for brass valves, flanges conforming to Manufacturers Standardization Society of the Valve and Fitting Industry Bronze Flange Standard SP-2 may be used. Flanges may be furnished to the American Gas Association flange standard for low pressure gas service.

(b) Face to face of flanged valves, size 4" and larger, shall comply with American Petroleum Institute standard #5-G-1 and American Standards Association standard B-16.10 for the pressure classes and types which these standards cover.

specifications do not purport to contain any recommendations regarding the most efficient or safe use of any valve or valve parts covered herein.

Certain of the terms used in this appendix (including the terms valves and valve parts) are defined in the body of this order, L-252. In addition, certain exceptions are made, and certain obligations imposed upon producers and others. You should, therefore, be thoroughly familiar with the body of the order before reading this appendix.

PART 1

Iron Gate, Globe, Angle, Cross, and Check Valves and Valve Parts

1. *Standard size schedule: Iron valves.* (a) Valves shall be manufactured only in the pressure classes listed in Table 1 and in the particular sizes, specified in Table 2, which are comprehended within the size range specified in Table 1 for the particular pressure class:

(c) Valves for 150# primary steam rating and lower shall have manufacturer's standard seating materials, comprising any of the following:

Non-metallic disc.
Iron or carbon steel.
Brass or bronze.
Nickel alloy.

(d) Valves for 250# primary steam rating and higher shall have manufacturer's standard seating materials, comprising any of the following:

Non-metallic disc.
Iron or carbon steel.
Brass or bronze.
Chrome iron.

(e) Bonnet bolts or studs shall be carbon steel.

(f) Nuts for bonnet bolting shall be carbon steel.

(g) Handwheels shall be of ferrous metal, either cast or otherwise fabricated, or of suitable non-metallic material.

(h) All extension stems, couplings and gear housings shall be of ferrous metal.

(i) Spot facing or back facing on iron valve flanges is prohibited except when necessary to prevent scrapping otherwise usable products.

3. *Iron gate valves.* (a) Stems for outside screw and yoke valves shall be, at manufacturers' option, either of carbon steel, or of brass or bronze made from secondary metal, i. e., copper base alloy to which refined copper or refined tin is not added in the production of the castings for the stems.

(b) Discs for solid wedge, gates 4" and larger and for split wedge or double disc gates 5" and larger, shall be all iron or iron with faces conforming to paragraphs 2 (c) or 2 (d) depending upon pressure class.

Discs for non-rising stem valves may be provided with brass or bronze bushing for stem thread.

(c) Bonnet bushing for backseating shall not be provided in outside screw and yoke valves.

(d) Packing gland flange bolts or studs shall be carbon steel.

(e) Nuts for packing gland flange bolts or studs shall be carbon steel, brass or bronze, at manufacturer's option.

(f) For valve 4" and larger, the packing gland, if flange and follower or nose are one piece, shall be of iron or iron brass bushed; or if made of two pieces, the flange shall be iron and the follower or nose may be brass.

4. *Iron globe, angle, and cross valves.* (a) "Plug" type discs shall not be used for primary pressure 125# classification; but no manufacturer shall make more than one design of metal to metal seat in this class.

(b) Discs for valves 4" and larger shall be all iron or iron with faces conforming to paragraphs 2 (c) or 2 (d) depending upon pressure class.

(c) Stems for outside screw and yoke valves shall be, at manufacturers' option, either of carbon steel, or of brass or bronze made from secondary metal, i. e., copper base alloy to which refined copper or refined tin is not added in the production of the castings for the stems.

(d) Bonnet bushing for back seating shall not be provided.

(e) Packing gland flange bolts or studs shall be carbon steel.

(f) Nuts for packing gland flange bolts or studs shall be carbon steel, brass or bronze, at manufacturer's option.

(g) For valves 4" and larger, the packing gland, if flange and follower or nose are one piece, shall be of iron or iron brass bushed; or if made of two pieces, the flange shall be iron and the follower or nose may be brass.

(h) Cross valves shall not be manufactured.

5. *Iron check valves.* (a) Discs for valves 4" and larger shall be either all iron, or iron or steel with faces conforming to paragraphs 2 (c) or 2 (d) depending upon pressure class.

(b) Nuts for attaching swing check disc to hinge or arm shall be carbon steel, malleable iron, brass, or bronze, at manufacturer's option.

(c) The hinge or arm for valves 2" and larger shall be of ferrous metal and may be bronzed brushed.

PART 2

Brass or Bronze Gate, Globe, Angle, Cross, and Check Valves and Valve Parts

1. *Standard size schedule: Brass or bronze valves.* (a) Valves shall be manufactured only in the pressure classes listed in Table 1, and in the particular sizes specified in Table 2, which are comprehended within the size range specified in Table 1 for the particular pressure class:

TABLE 1
[All size ranges are inclusive]

Primary pressure classifications in lbs. per sq. in. ¹	Sizes ² screwed end (inches)	Sizes flanged end (inches)	Sizes solder end (inches)
100 Steam.....	1/8 to 2	-----	3/8 to 2
125 Steam.....	1/8 to 2	-----	1/4 to 2
150 Steam.....	1/8 to 2	1 to 2	1/4 to 2
200 Steam.....	1/8 to 2	1 to 2	1/4 to 2
200 Steam.....	1/8 to 2	1 to 2	1/4 to 2
Hydraulic 1000 & Higher.....	1/8 to 2	-----	1/4 to 1 1/4

¹ The primary steam rating in no way regulates the pressure at which these valves should be rated for other fluids, but restricts the classes to those mentioned.

² Only globe and angle valves may be made in the 1/8" size.

³ These valves are rated 150#.

(b) Detail of permitted sizes (see 1 (a) above):

TABLE 2

(Sizes in inches)

1/8	1/2	1 1/4
1/4	3/4	1 1/2
3/8	1	2

2. *General requirements for brass or bronze valves.* (a) Check valves shall be horizontal lift and vertical lift or swing check types only. Angle type prohibited.

(b) Spot facing on end connecting flanges is prohibited.

(c) 150# primary pressure classification and lower shall have integral seats.

(d) 150# primary pressure classification and lower shall have brass, bronze, or non-metallic disc only, and plug type discs shall not be used in globe and angle valves.

(e) 200# primary pressure classification and higher shall have manufacturer's standard seating materials comprising any of the following:

Non-metallic disc.
Brass or bronze.
Chrome iron.
Nickel alloy.

TABLE 1

[All size ranges are inclusive]

Primary pressure classification in lbs. per sq. in.	Gate (inches)			Globe and angle (inches)			Horizontal and angle check (inches)			Swing check (inches)		
	Screwed	Flanged	Welded	Screwed	Flanged	Welded	Screwed	Flanged	Welded	Screwed	Flanged	Welded
150.....	2 to 4	2 to 24	-----	2 to 4	2 to 8	-----	-----	-----	-----	2 to 4	2 to 8	-----
300.....	2 to 4	2 to 24	-----	2 to 4	2 to 12	-----	-----	2 to 8	-----	2 to 4	2 to 12	-----
600.....	1/4 to 2	1/4 to 24	1/4 to 24	1/4 to 2	1/4 to 14	1/4 to 14	1/4 to 2	1/4 to 14	1/4 to 14	1/4 to 2	1/4 to 14	1/4 to 14
900.....	-----	3 to 18	3 to 18	-----	3 to 14	3 to 14	-----	3 to 14	3 to 14	-----	3 to 14	3 to 14
1500.....	1/4 to 2	1 1/4 to 14	1/4 to 14	1/4 to 2	1 1/2 to 14	1/4 to 14	1/4 to 2	1 1/2 to 14	1/4 to 14	-----	3 to 14	3 to 14

(b) Detail of permitted sizes.

TABLE 2

(Sizes in inches)

1/8	2	10
1/4	2 1/2	12
3/8	3	14
1/2	4	16
3/4	5	18
1	6	20
1 1/4	8	24
1 1/2	-----	-----

2. *General requirements for steel valves.*

(a) Valves covered by items 3, 4, and 5, which follow, shall be in accordance with American Petroleum Institute standard 600A for gate valves, and with American Standards

Association B16e for all types, except as modified by the specifications set forth in this part 3 of this appendix.

(b) Face to face of flange end valves shall comply with American Petroleum Institute standard 5-G-1 and American Standards Association B16.10 for the types covered by these standards except as modified by the specifications contained in paragraph 4 of part 3 of this appendix.

(c) Discs of valves 5" and larger shall be made of the same material as the valve body, with seating material laid on or attached.

(d) Handwheels 24" diameter and smaller shall be malleable iron, or fabricated steel.

(e) Raised contact faces on flanges shall be serrated (concentric or spiral) or smooth at manufacturer's option.

(f) Union bonnet rings and union rings for valve ends shall be brass, bronze, malleable iron or steel, at manufacturer's option.

(g) Stuffing box packing nuts shall be brass, bronze, malleable iron or steel, at manufacturer's option.

(h) Handwheels and valve handles shall be ferrous metal, either cast or otherwise fabricated; or suitable non-metallic material.

(i) End flanges shall conform to:

1. Manufacturers Standardization Society of the Valve and Fittings Industry, Standard Practice 150#-SP-2.

2. Manufacturers Standardization Society of the Valve and Fittings Industry, Standard Practice 300#-SP-2.

(Depending upon rated pressure of the valve.)

(j) Use Manufacturers Standardization Society of the Valve and Fittings Industry, SP-20 grade A or American Society for Testing Materials B-62 or EA-B62 brass or bronze for all valve pressure castings in valves in primary pressure classifications of 125#, 150# and 200#. Use Manufacturers Standardization Society of the Valve and Fittings Industry, SP-20 grade B or American Society for Testing Materials B-61 brass or bronze for all valve pressure castings in valves in primary classifications of 300# or higher. Bonnets 200# and higher pressure classification may be made of a "cast bearing bronze."

(k) Cross valves shall not be manufactured.

PART 3

Steel Gate, Globe, Angle, Cross, and Check Valves and Valve Parts

NOTE: These limitations do not apply for primary ratings higher than 1500#. Moreover, these limitations do not apply for valves for temperatures exceeding 1000 degrees F. or below minus 50 degrees F. Furthermore, these limitations do not apply to drilling through or flow line valves for oil production service.

The term "stainless" is used in this Part 3 of this appendix to describe any of the iron base alloys such as 12% chrome, or 18-8 chrome nickel whose primary characteristics are resistance to corrosive attack, or elevated temperature or both.

1. *Standard size schedule: Steel valves.* (a) Valves shall be manufactured only in the pressure classes listed in Table 1, and in the particular sizes specified in Table 2 which are comprehended within the size range specified in Table 1 for the particular pressure class:

(f) Cross valves shall not be manufactured.

3. *150 lb. Pressure class: Steel valves.* (a) End flange faces shall have American Standards Association 1/16" raised face.

(b) Bodies and bonnets shall be carbon steel.

(c) Seating materials shall be any of the following:

Carbon steel.
Brass or bronze.
12% chrome iron.

(d) Bonnet bushing for back seating shall not be provided, but backseating shall be included.

(e) Stems shall be carbon steel, brass or bronze.

(f) Bonnet bolting shall be either carbon steel or manganese steels of the SAE 1300 Series.

(g) Bonnet bolt nuts shall be semi-finished carbon steel.

(h) Stem stuffing box packing shall be graphite or mica-impregnated asbestos according to manufacturer's practice.

(i) Bonnet gaskets shall be asbestos composition sheet.

4. 300 lb. Pressure class. Steel valves. (a) End flange faces shall be American Standards Association 1/16" raised face, or American Petroleum Institute octagonal ring joint groove providing the groove is cut in the basic flange thickness.

(b) Bodies and bonnets shall be carbon steel, except when required to resist extreme corrosion or temperature conditions they may be 4% to 6% chrome, 1/2% molybdenum.

(c) The seating materials shall be any of the following:

Same material as body.
Brass or bronze.
12% chrome iron.
Nickel copper alloy.
Hard facing.

(d) Stems shall be any of the following:

Brass or bronze.
12% chrome iron.

(e) Stem stuffing box packing shall be graphite or mica-impregnated asbestos according to manufacturer's practice.

(f) Bonnet bolting shall conform to the following limitations:

1. For temperature up to and including 850 degrees F., National Emergency 9400 series steels or SAE 4140 steel.

2. For temperatures over 850 degrees F., Grade B14 steel per American Society for Testing Materials specification A193.

(g) Bonnet bolt nuts shall be semi-finished carbon steel.

5. 600 lb. 900 lb. & 1500 lb. Pressure classes. Steel valves. (For 600 lb. and 1500 lb. general purpose valves, see paragraph 6) (a) End flange faces shall be either American Standards Association octagonal ring joint groove or American Petroleum Institute octagonal ring joint groove, or 1/4" American Standards Association large male face

(b) Bodies and bonnets shall be carbon or carbon molybdenum steel, except when required to resist extreme corrosion or temperature conditions in which case they may be 4% to 6% chrome, 1/2% molybdenum, or stainless if so specified. (See definition for "stainless" in note under heading of Part 3.)

(c) The seating materials shall be any of the following:

Same material as body.
Stainless (See definition in note under heading of Part 3).
Nickel copper alloy.
Hard facing.

(d) Stems shall be the following:

Stainless (See definition in note under heading of Part 3)

(e) Stem stuffing box packing shall be graphite or mica-impregnated asbestos according to manufacturer's practice.

(f) Bonnet bolting shall conform to the following limitations:

1. For temperature up to and including 850 degrees F., National Emergency 9400 series steels or SAE 4140 steel.

2. For temperature over 850 degrees F., Grade B14 steel per American Society for Testing Materials specification A193.

(g) Bonnet bolt nuts shall be semi-finished carbon steel.

6. General purpose steel valves: 600 lb. & 1500 lb.—211 and smaller. (a) End connections shall be:

1. Flanged American Standards Association standard with 1/4" large male face.
2. Screwed end.
3. Socket welding end.

The 600 lb. class flanged end valves may be made with 150-lb. American Standards Association steel flange diameter, drilling, and/or facing.

(b) Bodies and bonnets shall be carbon or carbon molybdenum steel, except when required to resist extreme corrosion or temperature conditions, in which case they may be 4% to 6% chrome, 1/2% molybdenum, or stainless if so specified. (See definition for "stainless" in note under heading of Part 3.)

(c) Seating materials shall be any of the following:

Same material as body.
Brass or bronze.

Stainless. (See definition in note under heading of Part 3.)

Nickel copper alloy.
Hard facing.

[F. R. Doc. 44-304; Filed, January 6, 1944; 11:25 a. m.]

PART 3208—SCHEDULED PRODUCTS

[General Scheduling Order M-293, Dir. 1 under Table 8, as amended]

PRODUCTION OF BOILERS FOR STOCK

The following Direction is issued pursuant to Table 8 of General Scheduling Order M-293:

In order to conserve materials and manufacturing facilities for the production of land power boilers, boiler units and auxiliaries listed on Table 8 of General Scheduling Order M-293, and to prevent the accumulation of duplicate stocks of such boilers, units and auxiliaries in the hands of manufacturers, dealers and warehousemen, the following Direction under Table 8 of M-293 is issued:

(1) Notwithstanding the provisions of Priorities Regulation 1, or of paragraphs (c) (2) and (d) (2) of General Scheduling Order M-293, no manufacturer shall, without specific authorization from the War Production Board, begin production of any boiler, boiler unit or auxiliary listed on Table 8 of General Scheduling Order M-293, which the manufacturer knows, or has reason to believe, will be held in the stock of any manufacturer, wholesaler, dealer or any other person rather than shipped directly for installation.

(2) Application for specific authorization may be made either by letter or by notation on the Form WPB-1790 which the manufacturer files to show his proposed shipping schedule.

Issued this 6th day of January 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-311; Filed, January 6, 1944; 11:24 a. m.]

PART 3270—CONTAINERS

[Supplementary Order L-103-b as Amended Jan. 4, 1944]

GLASS CONTAINER AND CLOSURE QUOTAS

Section 3270.36 Supplementary Order L-103-b is amended to read as follows:

§ 3270.36 Supplementary Order L-103-b.

What This Order Does

This order lists the only products which may be commercially packed in new machine-made, glass containers or with new metal closures. It specifies closure materials and sets forth the number of glass packages and metal closures which may be used for each listed product. In

addition, some restrictions are placed upon the manufacture of closures.

The order limits "commercial packs" only. Although there are certain manufacturing restrictions, the use of glass containers or metal closures for home canning purposes is not affected.

Likewise, the provisions of this order cover only new glass containers and closures. Used containers, or closures are not limited. However, closures which are fabricated from used closures—that is, where the used closures are a production material—are regarded as new closures made of "waste" and are governed by the pertinent provisions of this order.

Definitions of the various terms used in this order appear in paragraph (x) hereof.

Restrictions On Use of Glass Containers and Closures

(Note exceptions from these restrictions in paragraphs (p) through (v)).

(a) *Prohibited acceptances and uses of glass containers and closures.* No packer shall accept delivery of or use any new glass container, or any new metal closure for packing any product not listed in a schedule of this order.

(b) *Limitations on acceptance and use of glass containers and closures.*

Likewise, during any calendar year beginning with 1944, no packer shall accept delivery of or use, for packing any product which is listed in a schedule of this order, more new glass containers or more new metal closures (other than closures made from waste) than his quota for that product. However, jobbers or retailers may obtain closures and glass containers and resell them in conformity with the provisions of this order.

(c) *Closure materials.* No packer shall accept delivery of or use, for packing any product, new metal closures made of any material except those permitted for that product in the schedules of this order. However, blackplate closures (including rejects) may be used wherever tinplate or terneplate is specified, and frozen plate may be used wherever tinplate, terneplate or blackplate is specified. Likewise, closures made of waste may be used in accordance with the following paragraph:

(d) *Closures made of waste.* Closures made of waste shall not be used for packing any product not listed in the schedules attached to this order. Closures made of waste may be used in addition to specified quotas for listed products.

(e) *Home canning jars.* No packer shall pack any commodity in a home canning jar. (Note that the use of these jars for home canning is not restricted).

Quotas

(f) *General.* Closure and glass quotas are stated separately in the attached schedules, and are not necessarily the same for any given product.

Quotas are not interchangeable as between listed products. That is, a packer who packs two products, product A and product B, must compute his quota (in the manner described in the following paragraph (g)) for each product separately. He cannot allot any portion of his quota for product A to product B, even if he does not pack his full quota of product A.

Furthermore, quotas may not be transferred from one packer to another except as provided in Priorities Regulation 7A.

(g) *Computation of quotas.* In most cases where this order provides a quota for the packing of any product, it does so, in the attached schedules, by stating a percentage figure followed by a calendar year—for instance, 100% 1943. Where this appears in the "glass quota" column opposite a product, it means, unless otherwise specified, that a packer's glass container quota for that product during 1944 and subsequent calendar years is computed as follows:

(1) He takes the number of new glass containers which he used for packing that product during the named base year.

(2) He subtracts the number of new glass containers which he used for packing that product during the named base year and which were quota exempt under the provisions of any prior order of the War Production Board or under any previous amendment of this order.

(3) He multiplies the resulting figure by the applicable percentage.

Identical rules apply to the computation of closure quotas, except that unless otherwise specified they are based on the number of new metal closures used during the specified base period.

The schedules of this order provide that the quotas for some products are based on the number of new metal closures or new glass containers accepted rather than those used during the specified base period. Here again, the method of computation, described in this paragraph, applies, except that the word "accepted" should be substituted for the word "used" in steps 1 and 2 above. Only the new metal closures or the new glass containers which a packer actually accepted delivery of and those which were invoiced to him during the applicable base period may be included in his quota base in such cases. But, for the purpose of making charges against quota, a packer must include the new metal closures and the new glass containers which he actually accepts delivery of, and those which are set aside for him or held by another party for his account—whether or not they are actually invoiced to him.

In a few cases, the schedules of this order set forth special rules, not covered by the above, for the computation of quotas for particular products. Such rules must be followed, and supersede the general statements contained in this paragraph (g) to the extent that they conflict with them.

(h) *Use of quotas.* As indicated above, most quotas are based on past use. The word "use" refers only to the actual filling operation in the case of glass and the actual capping operation in the case of closures. Therefore, to the extent that a person did not do this directly during the base period, he has no quota, despite the fact that he may have supplied the actual packer with the product, closures, containers, etc. After December 31, 1943, any packing done for him must be within the quota of the person performing the actual filling and capping operation.

In the case of products whose quotas are based upon acceptances, a person is deemed to have "accepted" glass con-

tainers or closures (for the purpose of computing quotas) only to the extent that he himself actually took possession of them or had them invoiced to him. If he did not do this during the base period, he has no quota, and the rules stated in the preceding paragraph of this paragraph (h) apply.

Packers who use or accept new glass containers or metal closures for packing products for the account of others, as well as for their own account, must conduct both operations within their own quotas. Without a special appeals grant under this order, they cannot regard their use or acceptances of glass containers and metal closures for the account of others as an addition to their quotas. This is true even where the other person may represent to the packer that he has a quota which he is not using himself.

On the other hand, packers are entitled to include, in their own quota bases, their use or acceptances of new glass containers or new metal closures, for the account of others during the specified base periods.

Restrictions on Sale and Delivery of Glass Containers and Closures

(i) *General restrictions.* No person shall sell or deliver any glass containers or closures which he knows, or has reason to believe, will be accepted or used in violation of any provision of this order.

(j) *Export deliveries.* During any calendar year, no person shall sell or deliver more empty new glass containers or more new metal closures to persons outside of the 48 States of the United States and the District of Columbia than he sold or delivered to such persons during 1943.

(k) *Certificates.* No person shall sell or deliver any new glass containers or new metal closures except under a purchase order or contract validated by the delivery to such person of a purchaser's certificate, signed manually, or as provided in Priorities Regulation 7.

This certificate shall be in substantially the form attached hereto as Exhibit A in the case of sales or deliveries of all glass containers, and of all metal closures except malt and non-alcoholic beverage closures. Attention is called to the fact that this certificate, once filed by a purchaser with a supplier, covers all future deliveries from that supplier to that purchaser.

The certificate should be in substantially the form attached hereto as Exhibit B, where sales or deliveries of malt or non-alcoholic beverage closures are concerned. This certificate differs from Exhibit A in that it must be filed with each purchase order for beverage closures in order to validate the order.

(l) *Outstanding certificates.* Certificates previously filed with a supplier under any previous amendment of this order, shall remain valid insofar as sales or deliveries of glass containers are concerned. Exhibit A certificates previously filed under order M-104, shall remain valid insofar as closure (other than malt or non-alcoholic beverage), deliveries are concerned. In either of the above cases, no new certificate need be filed by any purchaser to validate his

orders placed with the supplier to whom the previous certification was made.

(m) *Cases where certificates need not be filed.* No certificates shall be required for the sale or delivery of home canning jars or home canning closures, nor shall any certificates be required for the sale or delivery of any kind of glass containers or closures to: (1) Retailers, for resale empty or unused; or (2) persons purchasing closures or glass containers from retailers.

(n) *Standard certifications.* The standard certification provided for in paragraph (d) of Priorities Regulation 7, cannot be used in place of the certifications provided by this order; nor may the certifications provided by this order be waived in accordance with paragraph (f) of Priorities Regulation 7.

Restrictions Relating Solely to Manufacture of Closures

(o) *Closure material* (1) No person shall use any zinc, aluminum, tinplate, terneplate, blackplate, frozen plate, waste-waste or waste for the manufacture of the following types of closures:

(i) Cover caps which serve as a protective or decorative closure in addition to any original sealing medium (other than paraffin) such as another closure.

(ii) Double shell or semi-double shell caps.

(iii) Two-piece closures when both pieces are made of metal, except as permitted in paragraph (o) (2).

(2) No person shall use any zinc, aluminum, tinplate, terneplate, blackplate, or wire for the manufacture of any closure of the home canning type, except as, and to the extent permitted in Schedule VII attached to this order. No closure manufactured pursuant to Schedule VII shall knowingly be sold to, or used by, any person for packing any product for sale.

(3) No person shall use any tinplate, terneplate or blackplate heavier than 90 pounds per base box for the manufacture of crown caps. This restriction does not apply to rejects, frozen plate or waste-waste.

(4) No person shall use for the manufacture of closures any tinplate with a tin coating in excess of 1.25 pounds per base box; and all persons manufacturing closures shall, to the greatest extent available, use 0.50 tinplate for the manufacture of closures for which tinplate is permitted by the provisions of this order.

(5) No person shall use any wire for the manufacture of paperboard disc plug caps, having a diameter of two inches or less, for milk bottles.

Exceptions Pertaining to Both Glass Containers and Closures

(p) *Deliveries to certain agencies and persons.* Nothing in this order shall prohibit the purchase, acceptance of delivery, or use (such use to be in addition to any quota specified in the schedules attached to this order) of glass containers or closures by any of the following persons or by any person for packing any product to be delivered to or for the account of any of the following persons:

(1) Army, Navy, Marine Corps, Maritime Commission, or War Shipping Administration of the United States (including persons operating vessels for

such Administration or Commission for use thereon).

(2) Any person for packing products for retail sale or distribution through post-exchanges, sales commissaries, officers' messes, servicemen's clubs, ship service stores, or outlets; provided same are located at Army or Navy Camps, are not operated for private profit and are established primarily for the use of Army or Navy enlisted personnel within Army or Navy establishments or on Army or Navy vessels.

(3) American Red Cross, United Service Organizations, or such other nonprofit Defense Recreation Committees, engaged in the operation of recreation centers in the 48 States of the United States or the District of Columbia solely for military personnel, as are certified to be within the exemption provided by this paragraph (p) (3) by the Office of Defense Health and Welfare Services, OEM.

(4) Any agency of the United States purchasing for a foreign country pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act).

(q) *Special provisions in schedules relative to exempt deliveries to certain agencies and persons.* The schedules of this order contain certain limitations on the exception provided by the preceding paragraph (p) in the case of certain products—as, for instance, ice cream mix and malt and nonalcoholic beverages. In such cases, the provisions of the schedules are controlling and supersede paragraph (p) to the extent that they conflict therewith.

Exceptions Relative to Glass Containers Only

(r) *Small users.* The restrictions of this order which pertain to glass containers shall not apply to any person during any calendar year in which he accepts no more than a total of five hundred (\$500.00) dollars worth (cost price to him) of empty new glass containers for all products.

(s) *Large size glass containers.* The restrictions of this order which pertain to glass containers shall not apply to any glass container with a capacity larger than 140 fluid ounces.

(t) *Glass containers manufactured prior to the date of this order.* The restrictions of this order shall not prevent any person's acceptance or use, for a product not listed in the schedules of this order, of any glass container manufactured before January 1, 1944, if the glass container in question was originally manufactured for the purpose of packing an unlisted product, or was originally manufactured for packing a listed product but has a capacity not permitted for that product in the attached schedules of this order. This paragraph does not permit the quota free use of glass containers for listed products regardless of when the containers were manufactured.

(u) *Quota free use of certain glass containers in inventory of packer on or before December 31, 1943.* To the extent that as of January 1, 1944, a packer had in his possession, empty glass containers which he was permitted to accept under paragraphs (b) (c) and (d)

of order L-103-b as amended November 1, 1943, (excluding containers which he was permitted to accept under paragraph (e) of that order), he may use them during 1944 for packing any listed product in addition to his quota for that product. Nothing in this paragraph shall permit the quota free use of glass containers "borrowed" against anticipated 1944 usage, in accordance with paragraph (e) of this order as amended November 1, 1943.

Exceptions Pertaining to Closures Only

(v) *Small users.* The restrictions of this order which pertain to closures shall not apply to any person during any calendar year in which he accepts no more than five thousand new metal closures for all products.

Prior Appeals

(w) *Appeals granted prior to December 31, 1943 under Order M-104 and Order L-103-b.* All appeals granted prior to December 31, 1943 under orders L-103-b and M-104 are cancelled and shall be ineffective on and after January 1, 1944. Therefore, after that date, no person shall accept delivery of or use or shall manufacture, sell or deliver any new glass container or any new metal closure except in accordance with the provisions of this order—unless he receives a new grant on appeal after January 1, 1944.

Definitions

(x) *Definitions.* For the purposes of this order:

(1) "Glass container" means any empty new machine-made bottle, jar or tumbler, with a capacity of 140 fluid ounces or less, which is made of glass and which is suitable for packing any product.

(2) "Packer" means any person who uses glass containers or closures for commercially packing any product in the continental United States (the 48 States and the District of Columbia).

(3) "Home canning jar" means a glass container which is specifically made for use as a home canning jar (that is, for the purpose of packing or preserving food or food products in the home) and which carries some lettering or other marking identifying it as such.

(4) "Closure" means any new sealing or covering device affixed or to be affixed to a glass container for the purpose of retaining the contents within the container. The term shall not include bulbs or droppers for medicinal bottles.

(5) "Metal closure" means any closure which is made of zinc, aluminum, tinplate, terneplate, blackplate, frozen plate, waste-waste, or waste.

(6) "Tinplate" means sheet steel coated with tin, and includes "primes", "seconds", and all other forms of tinplate except waste and waste-waste.

(7) "Terneplate" means sheet steel coated with a lead-tin alloy, and includes "primes", "seconds", and all other forms of terneplate except waste and waste-waste.

(8) "Blackplate" means any sheet steel, other than tinplate or terneplate, and includes "rejects", and all other forms of blackplate except waste.

(9) "Frozen plate" means only tinplate, terneplate or blackplate which,

since before August 9, 1943, has been held in the owner's inventory because, for any reason, it was not suitable for manufacture by the owner into articles permitted the use of steel under the provisions of War Production Board orders.

(10) "Waste-waste" means hot dipped or electrolytic tin coated steel sheets which have been rejected during processing by the producer because of imperfections which disqualify such sheets from sale as primes or seconds.

(11) Tinmill blackplate "rejects" means steel sheets rejected during processing by the producer because of imperfections which disqualify such sheets for sale as prime blackplate.

(12) "Waste", means:

(i) Used closures made of tinplate, terneplate or blackplate;

(ii) Used cans made of tinplate, terneplate or blackplate;

(iii) Tinplate, terneplate or blackplate discs produced in the ordinary course of manufacturing screw bands for home canning closures;

(iv) Slitter or shear trimmings, or lithographing lay sheets, produced in the ordinary course of manufacturing closures or cans.

(13) The term "0.50 tinplate" wherever used in this order, includes "menders" arising in the production of such tinplate which have been hot dipped with a maximum tin coating of 1.25 pounds per base box.

Miscellaneous

(y) *Applicability of regulation.* This order and all transactions affected thereby are subject to all applicable provisions of the regulations of the War Production Board, as amended from time to time.

(z) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter, referring to the particular provision appealed from and stating fully the grounds for the appeal.

(aa) *Communications.* All communications concerning this order shall be addressed to: War Production Board, Containers Division, Washington (25), D. C., Ref.: L-103-b.

(bb) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or accepting further deliveries of or from processing or using material under priority control and may be deprived of priorities assistance.

Issued this 4th day of January 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

EXHIBIT A—PURCHASER'S CERTIFICATE FOR ALL GLASS CONTAINER DELIVERIES AND ALL CLOSURE DELIVERIES EXCEPT MALT AND NON-ALCOHOLIC BEVERAGE CLOSURES

One copy of this certificate is to be delivered to each person from whom purchases of new glass containers or new metal closures (other than malt and non-alcoholic beverage closures) are made. Such certificate shall cover all purchases present and future.

The undersigned purchaser hereby certifies to the seller and to the War Production Board that he is familiar with Limitation Order L-103-b and that he will not use or sell any glass containers or any closures purchased from

Name of seller

Address of seller

pursuant to this or future purchase orders or contracts in violation of the terms of such order.

Date

Legal name of purchaser

By

Authorized official

Title of official

Address of purchaser

Section 35 (A) of the U. S. Criminal Code (18 U. S. C. A. 80) makes it a criminal offense to make a false statement or representation as to any matter within the jurisdiction of any department or agency of the United States.

EXHIBIT B

Certificate required by Order L-103-b to validate each purchase of new metal closures for malt or non-alcoholic beverages. Execute in duplicate, one copy to be retained by the purchaser, and one to be filed with the seller.

INVENTORY

(a) Permitted inventory (20 percent of number of such closures and cans used for packaging malt or non-alcoholic beverages in 1941.)

(b) Inventory on date of this certification (Exclusive of Closures made from waste)

(c) Permitted delivery as of date of this certification from all sellers. Line (a) minus Line (b)

(d) Requested delivery from

Seller

gross,

The undersigned purchaser hereby certifies to the seller in and to the War Production Board that he is familiar with Limitation Order L-103-b, that the foregoing statements of inventory are true and correct, and that he will not use or sell any closures for malt beverages or non-alcoholic beverages received from the seller pursuant to the above-described "requested delivery" in violation of the terms of such order.

Date

Legal name of purchaser

By

Authorized official

Title of official

Address of purchaser

Section 35 (A) of the U. S. Criminal Code (18 U. S. C. A. 80) makes it a criminal offense to make a false statement or representation as to any matter within the jurisdiction of any department or agency of the United States.

SCHEDULES—GENERAL EXPLANATION

Schedules I through VI list the only products which may be packed in new glass containers or with new metal closures. Schedule VII relates to the manufacture of home canning closures.

The data set forth in the two "quota" columns, opposite each product, indicate the number of new glass containers and new metal closures (determined in accordance with the general rules set forth in paragraph (g) of Order L-103-b), which may be used for packing that product. However, any special quota provisions which these schedules make applicable to any product, are controlling to the extent that they conflict with paragraph (g).

The "X" mark which appears opposite each product in one of the columns headed "closure material" indicates that, except as listed hereafter, only closure made of the specified material may be used to pack that product. The general exceptions from this rule are:

(i) Closure made of blackplate (including rejects) may be used, within quotas, wherever tinplate or terneplate is specified.

(ii) Closures made of frozenplate may be used, within quota, wherever either tinplate, terneplate or blackplate is specified.

(iii) Closures made of waste may be used in addition to specified quotas for list-1 products.

All special provisions of these schedules relating to closure materials for specific products must be followed, and control to the extent that they conflict with the above.

All size specifications for glass containers set forth in these schedules must be followed in addition to the provisions of Order L-103 and its schedules.

Attention is called to paragraphs (p) through (v) of Order L-103-b which establish limited exceptions to the provisions of this order. Here again, any special provisions which these schedules contain relative to quota exceptions—as in the case of ice cream mix and certain beverages—must be observed.

SCHEDULE I—FOODS

No product packed in a can shall be repacked for sale in a glass container by the same or a different person, in the same or a different form, except as follows (or as otherwise specifically permitted in this schedule):

(i) When required for the packing of other products, pineapple may be repacked from No. 10 cans. Grape juice, grape pulp, citrus peel and pulp may be repacked from reusable cans, 5-gallons or larger. Apricots and peaches, solid pie pack, may be repacked from No. 10 cans or larger. No. 10 cans cut under this provision must be properly cleaned and returned to the nearest detinning plant.

(ii) Tomato paste, tomato pulp or puree, and tomato sauce may be repacked from No. 10, or from 5-gallon or larger reusable cans when required for packing other products, or for repacking in different form (other than in the form of tomato paste or tomato pulp or puree), but none may be repacked in the same form. No. 10 cans cut under this provision must be properly cleaned and returned to the nearest detinning plant.

Product	Calendar year packing quota glass	Calendar year packing quota closures	Closure material	
			Tinplate	Blackplate
FRUIT AND FRUIT PRODUCTS				
1. Apples including crab apples, whole apples not to be packed.....	100% 1943.....	100% 1943.....	X	-----
2. Apple cider, gallons only.....	100% 1943.....	100% 1943.....	X	-----
3. Apple juice, not to be packed in containers smaller than 1 pint capacity.....	100% 1943.....	100% 1943.....	X	-----
4. Applesauce including sauce from crab apples.....	100% 1943.....	100% 1943.....	X	-----
5. Apricots, fresh.....	Unlimited.....	Unlimited.....	X	-----
6. Blackberries, black raspberries, blueberries or huckleberries, red raspberries, boysen berries, loganberries, and youngberries when packed as berries.....	Unlimited.....	Unlimited.....	X	-----
7. Cherries, red sour pitted and sweet.....	Unlimited.....	Unlimited.....	X	-----
8. Cranberries.....	100% 1943.....	100% 1943.....	X	-----
9. Figs—(Kadota).....	Unlimited.....	Unlimited.....	X	-----
10. Fruit cocktail—consisting of any combination of fruits listed in this Schedule I and grapes; provided that the combination, by drained weight, shall consist of not less than 50 percent peaches and pears, and may consist of not to exceed 10 percent grapes. Pineapple may be repacked from No. 10 or larger cans, to the extent of 10 percent of the fruit cocktail.....	Unlimited.....	Unlimited.....	X	-----
10a. Mixed fruits—consisting of any combination of fruits listed in this Schedule I (with or without grapes) provided the combination by drained weight shall consist of not less than 55 percent nor more than 65 percent diced peaches, and not less than 35 percent nor more than 45 percent diced pears; or a combination of not less than 50 percent nor more than 60 percent diced peaches and not less than 30 percent nor more than 40 percent diced pears with not less than 6 percent nor more than 10 percent grapes. Such peaches or pears shall be peeled, pitted, or cored and diced to a size such that no more than 20 percent of the units will pass through a $\frac{3}{16}$ " standard sieve, and no more than 20 percent of the units will have a greater edge dimension than $\frac{3}{4}$ ", and so as to leave not more than 1 square inch of peel per pound of product on a drained weight basis. Not more than 10 percent of the grapes shall be cracked or crushed or have attached cap stems. No fruit may be packed under this item until the packer has packed and set aside his full quota for that fruit as established pursuant to Food Distribution Order No. 22 and orders supplementary thereto.....	Unlimited.....	Unlimited.....	X	-----
11. Fruit butters, minimum size (excluding tumblers) $\frac{3}{4}$ pound. At least 70 percent of containers packed to be $1\frac{1}{2}$ pounds or larger.....	Unlimited.....	Unlimited.....	X	-----
12. Fruits crushed, fountain fruits and ice cream toppings.....	100% 1943.....	100% 1943.....	X	-----
13. Fruit conserves, jams, marmalades and preserves. At least 10 percent of the number of containers packed with these products, excluding tumblers, to be 2 pounds or larger.....	Unlimited.....	Unlimited.....	X	-----
14. Fruit jellies.....	Unlimited.....	Unlimited.....	X	-----
15. Fruit juices, other than grape, apple, or apple cider, or mixtures of fruit juices (undiluted except for the addition of sweetening). Minimum size 1 pint.....	100% 1943.....	100% 1943.....	X	-----
16. Grape juice, minimum size 1 pint.....	Unlimited.....	Unlimited.....	X	-----
17. Fruit concentrates, liquid, when concentrated on a ratio 5 or more to 1.....	100% 1943.....	100% 1943.....	X	-----
18. Fruit concentrates, dry.....	100% 1943.....	100% 1943.....	X	-----
19. Fruit nectars, minimum size 1 pint.....	100% 1943.....	100% 1943.....	X	-----
20. Olives, ripe and green ripe.....	Unlimited.....	Unlimited.....	X	-----
21. Peaches, halves, slices or cubes.....	Unlimited.....	Unlimited.....	X	-----
22. Pears—whole pears, except seckel pears, not to be packed.....	Unlimited.....	Unlimited.....	X	-----
23. Pectin, liquid.....	Unlimited.....	Unlimited.....	X	-----
24. Plums.....	Unlimited.....	Unlimited.....	X	-----
25. Prunes, fresh Italian.....	Unlimited.....	Unlimited.....	X	-----

SCHEDULE I—FOODS—Continued

Product	Calendar year pack- ing quota glass	Calendar year pack- ing quota closures	Closure material	
			Tinplate	Blackplate
VEGETABLES AND VEGETABLE PRODUCTS				
26. Asparagus, all-green or culturally bleached.....	Unlimited.....	Unlimited.....	X	
27. Beans, with or without pork.....	100% 1943.....	100% 1943.....	X	
28. Beans, fresh, all varieties.....	Unlimited.....	Unlimited.....	X	
29. Beets—whole beets over 1½" diameter not to be packed.....	Unlimited.....	Unlimited.....	X	
30. Carrots—whole carrots not to be packed.....	Unlimited.....	Unlimited.....	X	
31. Peas and carrots—fresh green peas only. Carrots not to exceed 40 per cent of total drained weight. No vegetable may be packed under this item until the packer has packed and set aside his full quota for that vegetable as established pursuant to Food Distribution Order No. 22 and orders supplementary thereto.	Unlimited.....	Unlimited.....	X	
32. Corn, fresh, sweet cut only.....	Unlimited.....	Unlimited.....	X	
33. Mixtures of vegetables (except succotash, and peas and carrots) which consist of not less than 90 percent of any combination of vegetables listed in this schedule: <i>Provided</i> , That the combination, by drained weight, shall consist of not more than 60 percent of any one vegetable; and, <i>Provided further</i> , That no vegetable may be packed under this item until the packer has packed and set aside his full quota for that vegetable as established pursuant to Food Distribution Order No. 22 and orders supplementary thereto.	Unlimited.....	Unlimited.....	X	
34. Mushrooms.....	100% 1943.....	100% 1943.....	X	
35. Okra, including tomatoes and okra.....	100% 1943.....	100% 1943.....	X	
36. Peas, green.....	Unlimited.....	Unlimited.....	X	
37. Peppers, sweet, including pimientos. Minimum size container 6 fluid ounces.....	100% 1943.....	100% 1943.....	X	
38. Pumpkin and squash.....	100% 1943.....	100% 1943.....	X	
39. Spinach, and other green leafy vegetables limited to beet, collard, dandelion, kale, mustard, poke and turnip greens.....	100% 1943.....	100% 1943.....	X	
40. Succotash, fresh vegetables only.....	Unlimited.....	Unlimited.....	X	
41. Tomatoes.....	Unlimited.....	Unlimited.....	X	
42. Tomato catsup and chili sauce, containing not less than 10.8 percent (specific gravity 1.045) by weight of dry tomato solids.....	Unlimited.....	Unlimited.....	X	
43. Tomato paste from fresh tomatoes, containing not less than 25 percent by weight of dry tomato solids.....	Unlimited.....	Unlimited.....	X	
44. Tomato pulp or puree from fresh tomatoes, containing not less than 10.8 percent (specific gravity 1.045) or more than 25 percent, by weight of dry tomato solids.....	Unlimited.....	Unlimited.....	X	
45. Tomato sauce, including spaghetti sauce, containing not less than 8.7 percent (specific gravity 1.037) by weight of dry tomato solids, and not less than 10.0 percent (specific gravity 1.042) by weight of total dry solids, salt free. In addition to salt, the contents may contain pepper, spice, oils, and other flavoring ingredients.....	Unlimited.....	Unlimited.....	X	
46. Vegetable juices, or mixtures thereof, undiluted, except for the addition of sweetening or seasoning, minimum size 1 pint.....	Unlimited.....	Unlimited.....	X	
MEAT AND MEAT PRODUCTS				
47. Beef, dried—tumblers and caps for tumblers may be used in addition to quota.....	100% 1943.....	100% 1943.....	X	
48. Beef extract.....	100% 1943.....	100% 1943.....	X	
49. Chicken, boned.....	100% 1943.....	100% 1943.....	X	
50. Corned beef hash.....	100% 1943.....	100% 1943.....	X	
51. Mince meat, fresh apples only. No containers holding less than one pound net weight of mince meat to be packed.....	100% 1943.....	100% 1943.....	X	
52. Pigs feet and cutlets, pickled. No containers of a capacity less than one pint to be packed.....	200% 1943.....	200% 1943.....	X	
53. Scrapple (Philadelphia type).....	50% 1943.....	50% 1943.....	X	
54. Tamales.....	100% 1943.....	100% 1943.....	X	
55. Chili con carne, with or without beans (only when packed in accordance with F. D. A. standards).....	100% 1943.....	100% 1943.....	X	
56. Meat spreads, including ham, tongue, liver, beef and sandwich spreads. When packed as a spread, the chopped products shall contain not less than 65 percent meat, by cooked weight, with added cereal or other products. When packed as deviled ham or deviled tongue, the product shall consist of chopped meat without added cereal or other products.....	100% 1943.....	100% 1943.....	X	
57. Chopped luncheon meats, consisting of chopped, seasoned meat with not to exceed 3 percent added water, by weight.....	100% 1943.....	100% 1943.....	X	
58. Sausage in casings, Vienna style, containing no cereal or similar substances and not to exceed 10 percent added water by weight.....	100% 1943.....	100% 1943.....	X	
59. Tongue.....	200% 1943.....	200% 1943.....	X	
FISH AND SHELLFISH				
60. Any person who packed fish or shellfish products in 1943 may pack the same products in 1944 or any subsequent year, except that no clam broth shall be packed.....	150% 1943.....	150% 1943.....	X	
MILK AND DAIRY PRODUCTS				
61. Cheese spreads, processed or unprocessed. Tumblers and caps for tumblers may be used in addition to quota.....	125% 1943.....	125% 1943.....	X	
62. Milk, cultured, as classified herein refers only to those cultured or fermented milk or skim milk products which develop pressure within the container (glass bottles) due to fermentation which is produced by the addition of certain materials to milk or skim milk such as sugar, yeast, cultures, and the like.....	100% 1943.....	100% 1943.....		X
63. Milk, fluid with or without flavoring.....	Unlimited.....	Unlimited.....		X
64. Dry milk, malted milk, (including chocolate milk), and milk fortifiers.....	100% 1943.....	100% 1943.....		X
65. Ice cream mix, dry—notwithstanding the provision of paragraph (p) of this Supplementary Order L-103-b, packing quota includes pack required to be set aside by any order of the War Production Board, the Food Distribution Administrator, the Department of Agriculture for purchase by Government agencies. Containers and closures used for such packs must be charged to quotas for this product.....	100% 1943.....	100% 1943.....	X	
66. Miscellaneous dairy products packed in returnable glass containers, including but not limited to fluid milk, cultured milk, liquid modifications of milk, sweet cream, sour cream and cottage cheese.....	Unlimited.....	None.....		
SYRUPS AND HONEY				
67. Syrups—blended, cane, corn, maple, molasses, sorghum. Containers under 1 gallon capacity only to be packed. NOTE: Only new glass containers under 1 gallon capacity to be included for purpose of computing quota in accordance with paragraph (g).	150% 1943 (see note).....	Unlimited.....		X
68. Syrups—bottlers, malt, chocolate, and fountain syrups.....	100% 1943.....	Unlimited.....		X
69. Honey.....	Unlimited.....	Unlimited.....		X
OLIVES, PICKLES, RELISHES, CONDIMENTS & SAUCES				
70. Pickles, piccalilli and relishes.....	125% 1943.....	125% 1943.....	X	
71. Horseradish.....	100% 1943.....	100% 1943.....	X	
72. Mustard.....	100% 1943.....	100% 1943.....	X	
73. Green Olives.....	100% 1943.....	100% 1943.....	X	
74. Sauces—beefsteak, cooking, soya pepper and Worcestershire.....	100% 1943.....	100% 1943.....	X	
EDIBLE OILS AND DRESSINGS				
75. Dressings—Mayonnaise, Russian, salad, Thousand Island, Tartar Sauce and sandwich spreads (other than meat or cheese spreads). At least 60 percent of the containers used by any person to pack any or all of these products must be pints or larger.....	125% 1943.....	125% 1943.....		X
76. French dressing.....	100% 1943.....	100% 1943.....	X	

SCHEDULE I—FOODS—Continued

Product	Calendar year packing quota glass	Calendar year packing quota closures	Closure material	
			Tinplate	Blackplate
EDIBLE OILS AND DRESSINGS—Continued				
77. Oil, edible, liquid..... NOTE: Both new glass containers and new metal cans packed during base period to be included for purpose of computing quota under paragraph (g). No containers other than quarts and pints may be packed, with the following exceptions: (i) Olive oil may be packed in quarts, pints and smaller sizes. (ii) Any person who packed liquid edible oils prior to January 1, 1942 in glass containers larger than one quart may continue to do so in 1944 and subsequent calendar years.	125% 1943 (see note).	100% of quota glass containers.		X
78. Shortenings.....	100% 1943.....	None.....		
MISCELLANEOUS FOODS				
79. Baby foods. Consisting of food products of small particle size or in liquid or semi-liquid form made from the following ingredients: fruits (except dried apricots, dried pears, dried peaches, dried or dehydrated apples); vegetables; meats; poultry products; dairy products; sugar; salt or seasoning; yeast or yeast derivatives. Frozen fruits and vegetables may be used. Potatoes and cereals may be used only in combination with other permitted products, and only provided the combined potato and cereal content does not exceed 12 percent, by weight, of the total product. Formulas—dry and liquid.	150% 1943.....	150% 1943.....	X	
81. Cherries, maraschino.....	100% 1943.....	100% 1943.....	X	
82. Coffee, not including soluble coffee..... NOTE: Glass quotas for coffee are based on the capacity of new glass containers and metal cans accepted, rather than on the number of those used during 1941. Therefore, after computing his quota base in accordance with steps 1 and 2 of paragraph (g), on this basis, a coffee packer is permitted to accept and use enough new glass containers (of any size), to enable him to pack 75 percent of the capacity of new metal cans and jars resulting from such computation. No more than 40 percent of yearly glass quota may be accepted in period May 1 through October 31. New metal caps used in any one month shall not exceed 50 percent of the number of new glass containers packed in that month.	75% 1941 (see note).	50% quota glass containers. (See note.)		X
83. Coffee, soluble.....	150% 1943.....	150% 1943.....		X
84. Baking powder.....	100% 1943.....	100% 1943.....		X
85. Dyes, certified colors, liquid.....	100% 1943.....	100% 1943.....		X
86. Flavoring extracts.....	100% 1943.....	100% 1943.....	X	
87. Malt, dry.....	100% 1943.....	100% 1943.....		X
88. Nut butters including soybean butter. To be packed in 1 pound, 1½ pound, 2 pounds and larger containers only, except for tumbler which may be used subject to provisions of L-103. At least 10 percent of containers used to be 2 pounds or larger.	150% 1943.....	150% 1943.....		X
89. Spices and seasonings.....	100% 1943.....	100% 1943.....	X	
90. Vinegars. At least 70 percent of the containers packed must be quarts or larger. No containers less than pint capacity to be packed.	100% 1943.....	100% 1943.....	X	
91. Special foods, for human consumption only, limited to foods other than usual table foods. NOTE: Quota—no person shall pack any special food product unless he packed the product in substantially the same form in 1943, and unless he obtains prior permission upon application to the War Production Board.	(See note).....	(See note).....	(See note).	(See note).

SCHEDULE II—DRUG PRODUCTS

(Products for medicinal purposes only)

Closures made of aluminum may be used for any product listed in this schedule to the extent that the packer used aluminum closures for the same product in 1941. However, all aluminum closures must be used within, and charged to, the quotas established by this schedule. Closure manufacturers must obtain permission from the Administrator of Order M-1-i to receive aluminum plate.

Product	Calendar year packing quota glass	Calendar year packing quota closures	Closure material	
			Tinplate	Blackplate
1. Alcohol, rubbing or medicated.....	Note 1.	Note 1.		X
2. Anesthetic solutions.....	Unlimited.	Unlimited.	X	
3. Biological preparations.....	Unlimited.	Unlimited.	X	
4. Blood plasma.....	Unlimited.	Unlimited.	X	
5. Capsules, pills, tablets, troches, lozenges.....	Note 1.	Note 1.		X
6. Chemicals, dry or liquid.....	Unlimited.	Unlimited.	X	
7. Citrate of magnesia.....	Note 1.	Note 1.		X
8. Elixirs.....	Note 1.	Note 1.		X
9. Emulsions.....	Note 1.	Note 1.		X
10. Extracts, dry or liquid.....	Note 1.	Note 1.		X
11. Glycerine.....	Note 1.	Note 1.		X
12. Glycerites.....	Note 1.	Note 1.	X	
13. Jellies, aqueous.....	Note 1.	Note 1.		X
14. Liniments.....	Note 1.	Note 1.		X
15. Liniments of ammonia.....	Note 1.	Note 1.	X	
16. Lotions, medicinal only.....	Note 1.	Note 1.		X
17. Magmas.....	Note 1.	Note 1.	X	
18. Oleoresins.....	Note 1.	Note 1.		X
19. Oils, fixed, volatile or medicated.....	Note 1.	Note 1.	X	
20. Ointments, cerates, petrolatum pastes.....	Note 1.	Note 1.		X
21. Ointments, ophthalmic.....	Note 1.	Note 1.	X	
22. Powders.....	Note 1.	Note 1.		X
23. Prescriptions.....	Unlimited.	Unlimited.	X	
24. Proprietary preparations.....	Note 1.	Note 1.		X
25. Salts, effervescent, hygroscopic, efflorescent only.....	Note 1.	Note 1.		X
26. Soaps, medicinal only.....	Note 1.	Note 1.	X	
27. Solutions, aqueous.....	Note 1.	Note 1.	X	
28. Solutions, other than aqueous.....	Note 1.	Note 1.	X	
29. Solutions, parenteral.....	Unlimited.	Unlimited.		X
30. Spirits.....	Note 1.	Note 1.	X	
31. Spirits of ammonia, aromatic.....	Note 1.	Note 1.	X	
32. Spirit of ether compound and spirit of ether.....	Note 1.	Note 1.	X	
33. Sulfonamide preparations.....	Unlimited.	Unlimited.		X
34. Suppositories.....	Note 1.	Note 1.		X
35. Syrups.....	Unlimited.	Unlimited.		X
36. Tinctures.....	Unlimited.	Unlimited.	X	
37. Tincture of iodine.....	Note 1.	Note 1.		X
38. Waters, laxative, purgative or medicinal.....	Note 1.	Note 1.		X
39. Other drug products.....	Note 1.	Note 1.		X

NOTE 1: The total number of new metal closures and new glass containers which may be used, during any calendar year, for packing all of the products referring to this note is 100 percent of the number of new metal closures or new glass containers, respectively, a person used for said purpose during 1943. This quota may be used for any one or more of said products.

SCHEDULE III—CHEMICALS

Product	Calendar year packing quota glass	Calendar year packing quota closures	Closure material	
			Tinplate	Blackplate
1. Adhesives, glue, mucilages and pastes.	100% 1943.	100% 1943.		X
2. Alcohol, liquid or solidified (excluding anti-freeze).	100% 1943.	100% 1943.		X
3. Ammonia, household, and/or household liquid cleaners. No containers of less than 1 quart capacity may be packed.	100% 1943.	100% 1943.	X	
4. Aromatic chemicals used for their odoriferous and/or flavoring properties.	Unlimited.	Unlimited.	X	
5. Automotive maintenance or repair items, liquid or paste.	100% 1943.	100% 1943.		X
6. Bluings.	100% 1943.	100% 1943.	X	
7. Bleaches, liquid. No containers of less than 1 quart capacity may be packed.	100% 1943.	Unlimited.	X	
8. Cements—dry, paste or liquid.	100% 1943.	100% 1943.		X
9. Cements used for dental purposes.	Unlimited.	Unlimited.		X
10. Chemicals, dry, not elsewhere specified.	80% 1943.	80% 1943.		X
11. Chemicals, liquid, not elsewhere specified.	80% 1943.	80% 1943.	X	
12. Chemicals for food sanitation purposes only.	150% 1943.	150% 1943.		X
13. Chemicals, reagent.	200% 1943.	200% 1943.	X	
14. Cleaners—dry, paste or liquid, not including liquid household cleaners.	100% 1943.	100% 1943.		X
15. Compounds for grinding, polishing, or sealing.	100% 1943.	100% 1943.		X
16. Deodorants—dry, not for use on human body.	100% 1943.	100% 1943.		X
17. Deodorants—liquid or paste, not for use on human body.	100% 1943.	100% 1943.	X	
18. Dressings for industrial purposes. Belt dressings and similar preparations.	100% 1943.	100% 1943.		X
19. Dyes.	100% 1943.	100% 1943.	X	
20. Essential oils, distilled or cold pressed.	100% 1943.	100% 1943.	X	
21. Embalming fluid.	Unlimited.	Unlimited.		X
22. Fire extinguisher fluids.	100% 1943.	100% 1943.		X
23. Fumigants.	100% 1943.	100% 1943.		X
24. Fungicides, insecticides, disinfectants and livestock or agricultural solutions or sprays. No containers larger than 1 quart to be packed.	150% 1943 (see note).	100% quota glass containers.		X
NOTE: Only new glass containers of one quart capacity and smaller may be included for purpose of computing quota in accordance with paragraph (g).				
25. Germicides.	125% 1943.	125% 1943.	X	
26. Graphite with liquid.	100% 1943.	100% 1943.		X
27. Glycerine.	100% 1943.	100% 1943.		X
28. Hand protective compounds (industrial protective only and only when packed in 8 oz. container or larger).	150% 1943.	150% 1943.		X
29. Hypochlorite powders.	125% 1943.	125% 1943.	X	
30. Inks.	100% 1943.	100% 1943.	X	
31. Ink eradicators.	100% 1943.	100% 1943.	X	
32. Paints, clear (including shellac) except nitro-cellulose base paints; containers limited to quarts and smaller.	100% 1943 (see note).	100% quota glass containers.		X
NOTE: Only new glass containers of one quart capacity and smaller may be included for purpose of computing quota in accordance with paragraph (g).				
33. Paints, pigmented except nitro-cellulose base paints; containers limited to one-half pints and smaller.	100% 1943 (see note).	100% quota glass containers.		X
NOTE: Only new glass containers of one pint capacity and smaller may be included in computing quota under paragraph (g).				
34. Paint thinner, including turpentine, paint and varnish removers and linseed oil; excluding thinners for nitro-cellulose products; quart, pint and half-pint containers only.	100% 1943 (see note).	100% quota glass containers.		X
NOTE: Only new glass containers of one quart capacity and smaller may be included for purpose of computing quota under paragraph (g).				
35. Phenols.	100% 1943.	100% 1943.	X	
36. Photographic supplies.	100% 1943.	100% 1943.	X	
37. Poisons.	100% 1943.	100% 1943.		X
38. Polishes, liquid. Furniture, auto, metal and floor polishes, quart and smaller containers only.	100% 1943 (see note).	100% quota glass containers.		X
NOTE: Only new glass containers of one quart capacity and smaller may be included for purpose of computing quota under paragraph (g).				
39. Putty.	100% 1943 (see note).	100% quota glass containers.		X
NOTE: Only new glass containers of one quart capacity and smaller may be included for purpose of computing quota under paragraph (g).				
40. Polishes not otherwise specified.	75% 1943.	75% 1943.		X
41. Shoe and leather polishes, waxes, dyes, stains and dressings not including liquid or cream shoe white.	125% 1943.	125% 1943.		X
42. Shoe white, liquid or cream.	100% 1943.	100% 1943.		X
43. Soap, liquid or paste.	100% 1943.	100% 1943.		X
44. Solvents—organic solvents and petroleum distillates.	100% 1943.	100% 1943.		X
45. Synthetic resins.	100% 1943.	100% 1943.		X
46. Waxes.	100% 1943.	100% 1943.		X
47. Wood preservatives and/or fillers.	100% 1943.	100% 1943.		X

SCHEDULE IV—COSMETICS AND TOILETRIES

Product	Calendar year packing quota glass	Calendar year packing quota closures	Closure material	
			Tinplate	Blackplate
1. Cosmetics, solid and semisolid types; such as face creams, hand creams, vanishing creams, deodorant and anti-perspirant creams and cream rouge.	100% 1943.	85% permitted new glass containers.		X
2. Cosmetics and toiletries, fluid or powder; such as deodorants, antiperspirants, shampoos, hair tonics, hair dyes, wave solutions, hair rinses, oral antiseptics, tooth pastes, tooth powders, liquid dentifrices, after shave lotions, liquid soaps, perfumes, toilet waters, face and hand preparations, lotions, fingernail preparations.	100% 1943.	50% permitted new glass containers.		X
3. Soaps, hand.	100% 1943.	100% 1943.		X
4. Shaving cream.	100% 1943.	100% 1943.		X

SCHEDULE V—MISCELLANEOUS PRODUCTS

Product	Calendar year packing quota glass	Calendar year packing quota closures	Closure material	
			Tinplate	Blackplate
1. Artist supplies.	100% 1943.	100% 1943.		X
2. Candle tumbler.	Unlimited.	None.		X
3. Dental floss.	100% 1943.	100% 1943.		X
4. Lighter fluids.	100% 1943.	100% 1943.		X
5. Oils, lubricating and machine. Motor oils to be packed in quarts only.	100% 1943.	100% 1943.		X
6. Tobacco and snuff not including cigars and cigarettes.	100% 1943.	None.		X

SCHEDULE VI—BEVERAGES

(The rules set forth in this Schedule are controlling wherever they conflict with any other provisions of Order L-103-b. However, except as modified herein, all provisions of Order L-103-b are applicable)

MALT BEVERAGES

Product: Malt beverages, including only beer, ale, porter, near beer and mixtures thereof.

Glass Containers

(a) **Glass container quota.** During the period between January 1, 1944 and June 30, 1944, a packer's quota of glass containers for malt beverages shall be the same as it was for the period between July 1, 1943 and December 31, 1943. Even though he does not compute his quota in accordance with paragraph (g), he does make charges against his quota in accordance with that paragraph.

(b) **Exceptions from glass quota provisions.** In addition to his quota of glass containers for malt beverages, any packer may accept delivery of the following portion of the number of new or used glass containers used, or actually to be used, during the then current calendar year for delivering malt beverages to or for any of the persons listed under paragraph (p) of this order:

(1) **Export shipment.** The full amount of glass containers for delivering malt beverages to or for any such person for shipment to points outside the continental United States.

(2) **Domestic consumption.** 8% of the full amount of glass containers for delivering malt beverages to or for any such person for use or distribution within the continental United States.

Closures

(c) **Closure quota (See Note 3).** 115% of the number of new metal closures used for malt beverages during 1943 under quotas provided by order M-104. (Quota exempt closures may not be included in base).

(d) **Closure material.** (See Note 1). Rejects, electrolytic waste-waste and frozen blackplate. Hot dipped waste-waste may be used only to make malt beverage closures which are to be exported unused.

No closures made of waste may be used in addition to quota, pursuant to paragraph (d) of Order L-103-b, except as follows:

(1) Closures made of used cans.

(2) Closures made of used closures and of discs produced in the ordinary course of manufacturing home canning screw bands.

NON-ALCOHOLIC BEVERAGES

Product. Non-alcoholic beverages, including only carbonated soft drinks; non-carbonated soft drinks; unflavored carbonated waters and unflavored naturally carbonated and still waters (See Note 2); drinks consisting of fruit juices, vegetable juices and combinations thereof, where less than 85% by weight of such drinks is pure fruit juice, vegetable juice, or a mixture thereof; and sterilized milk drinks made with powdered milk.

Glass Containers

(a) **Glass containers quota.** During the period between January 1, 1944 and June 30, 1944, a packer's quota of glass containers for non-alcoholic beverages shall be the same as it was for the period between July 1, 1943 and December 31, 1943. Even though he does not compute his quota in accordance with paragraph (g), he does make charges against his quota in accordance with that paragraph.

(b) **Exceptions from glass quota provisions.** In addition to his quota of glass containers for non-alcoholic beverages, any packer may accept delivery of the

following portion of the number of new or used glass containers used, or actually to be used, during the then current calendar year for delivering non-alcoholic beverages to or for any of the persons listed in paragraph (p) of this Order.

(1) **Export shipment.** The full amount of glass containers for delivering non-alcoholic beverages to or for any such person for shipment to points outside the continental United States.

(2) **Domestic consumption.** 8% of the full amount of glass containers for delivering non-alcoholic beverages to or for any such person for use or distribution within the continental United States.

Closures

(c) **Closure quota (See Notes 2 and 3).** 115% of the number of new metal closures used for non-alcoholic beverages during 1943 under the quotas provided by Order M-104. (Quota exempt closures are not to be included in base).

(d) **Closure material (See Note 1).** Rejects, electrolytic waste-waste, and frozen blackplate. Hot dipped waste-waste may be used only to make non-alcoholic beverage closures which are to be exported unused.

No closures made of waste may be used in addition to quota, pursuant to paragraph (d) of Order L-103-b except as follows:

(1) Closures made of used cans.

(2) Closures made of used closures and of discs produced in the ordinary course of manufacturing home canning screw bands.

WINES

Product. Wines.

Glass container quota. During the period between January 1, 1944 and June 30, 1944, a packer's quota of glass containers for wines shall be the same as it

was for the period between July 1, 1943 and December 31, 1943. Even though he does not compute his quota in accordance with paragraph (g), he does make charges against his quota in accordance with that paragraph.

Closure quota. 50% quota glass containers.

Closure material. Blackplate.

DISTILLED SPIRITS

Product. Distilled spirits, including cordials.

Glass container quota. During the period between January 1, 1944 and June 30, 1944, a packer's quota of glass containers for distilled spirits shall be the same as it was for the period between July 1, 1943 and December 31, 1943. Even though he does not compute his quota in accordance with paragraph (g), he does make charges against his quota in accordance with that paragraph.

Closure quota. 50% quota glass containers.

Closure material. Blackplate.

NOTE 1: Permission to accept delivery of used cans or of sheets recovered from such cans or of tinsplate slitter or shear trimmings, lithographing lay sheets and discs must be obtained in accordance with Conservation Order M-325.

NOTE 2: Except with regard to items listed in Schedule II, no new metal closures shall be affixed to glass containers smaller than 12 fl. oz. for packing unflavored carbonated natural or mineral waters unless such glass containers were manufactured on or before June 1, 1942.

NOTE 3: No person other than a jobber purchasing for resale shall accept delivery of malt beverage or non-alcoholic beverage closures which would increase his inventory (including closures for use as described in Paragraph (p) of this Order) beyond 20% of the number of such closures and cans which he used in 1941 for packing malt beverages and non-alcoholic beverages.

SCHEDULE VII—HOME CANNING CLOSURES

Description of closure	Manufacturer's quota	Closure material indicated by X			
		0.50 tin-plate	Wire balls	Zinc	Black-plate
1. Top seal metal lids, 70 mm. ¹	Unlimited	X			
2. Bands for 70 mm. top seal metal lids ¹	Unlimited	X			
3. Bands for use with 70 mm. glass lids	Unlimited	X			
4. Lightning type	Unlimited		X		
5. Top seal metal lids, smaller than 70 mm.	Unlimited	X			
6. One piece metal closures, 70 mm. shoulder seal type ¹	Unlimited	X			
7. One piece metal closures, 70 mm. top seal type ¹	Unlimited	X			
8. Top seal metal lids larger than 70 mm.	From October 1, 1943 to September 30, 1944—6% of production of 70 mm. lids from October 1, 1942 to September 30, 1943.	X			
9. Zinc Mason P/L closures, 70 mm.	60% 1941 production			X	
10. Jelly glass lids	Unlimited				X

¹ No manufacturer of glass containers shall ship any jars with 70 mm. screw finish, intended for home canning, unless at least 40% of such jars shipped during each calendar month are delivered as a unit, consisting of the jar and a "glass lid closure" packed together. A "glass lid closure" is one consisting of a glass lid, a screw band and a top seal jar ring.

[F. R. Doc. 44-184; Filed, January 4, 1944; 4:48 p. m.]

PART 3270—CONTAINERS

[Supplementary Order L-103-b, Interpretation 1, Revocation]

Interpretation 1 of Supplementary Order L-103-b is superseded by paragraphs (g) and (h) of the order as amended January 4, 1944.

Issued this 4th day of January 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-185; Filed, January 4, 1944; 4:48 p. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS
[Conservation Order M-361, Direction 1]

DELIVERIES OF SOUTHERN YELLOW PINE LUMBER TO FARM MACHINERY MANUFACTURERS

The following direction is issued in accordance with Order M-361, paragraph (d):

(a) This direction tells how a manufacturer of farm machinery may get the restricted Southern yellow pine lumber he needs for production material without having to file on Form WPB-2720.

(b) A manufacturer of farm machinery must endorse the following certificate on his purchase orders:

All restricted Southern yellow pine lumber covered by this purchase order or contract is required in order to enable me to fulfill an authorized production schedule for the production of farm machinery and equipment. Delivery may be made to me under Direction 1 to Order M-361, with the terms of which I am familiar.

Purchaser

By

Duly authorized official

Date

(c) Any producer may sell, ship, or deliver restricted Southern yellow pine lumber (either directly or through one or more intervening persons) to fill any order or contract bearing such a certificate, just as if the order were certified in the way prescribed by paragraphs (b) (1) or (b) (2) of Order M-361. The use of the above form of certificate by the buyer and delivery by the producer is subject to all the terms and conditions of M-361 with respect to certified orders, so far as applicable. No one may use the certificate to get more lumber than the minimum necessary to fulfill his authorized schedules for the production of farm machinery, or to get lumber for any use except as production material; for example, no one can get lumber under this direction for boxing and crating his product. The inventory restrictions of paragraph (c) of Order M-361 are waived so long as the above restrictions are complied with.

(d) Manufacturers of farm machinery who get Southern yellow pine lumber under this direction shall report by letter, ten days after the end of each quarter, to the War Food Administration, Office of Materials and Facilities, Washington, D. C., stating their inventories of Southern yellow pine for production material at the beginning of the quarter, the amount delivered to them for production material during the quarter, and the amount used for production material during the quarter, whether obtained under this direction or in some other way. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(e) Manufacturers of farm machinery do not have to get restricted Southern yellow pine lumber under this direction unless they want to. They may get it in any other way that is allowed under M-361. For example, a small manufacturer who buys from a mill producing less than 10,000 board feet a day may prefer not to change his arrangement. Manufacturers who buy from a limited number of sources may prefer to file on WPB-2720.

(f) "Farm machinery" means farm machinery and equipment as defined in Orders L-257 and L-257-a. "Production material"

means material for the production of farm machinery.

Issued this 6th day of January 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-312; Filed January 6, 1944,
11:25 a. m.]

PART 3285—LUMBER AND LUMBER PRODUCTS
[Conservation Order M-364, Direction 1]

DELIVERIES OF HARDWOOD LUMBER TO FARM MACHINERY MANUFACTURERS

The following direction is issued in accordance with Order M-364, paragraph (d):

(a) This direction tells how a manufacturer of farm machinery may get the restricted hardwood lumber he needs for production material without having to file on Form WPB-2720.

(b) A manufacturer of farm machinery must endorse the following certificate on his purchase orders:

All restricted hardwood lumber covered by this purchase order or contract is required in order to enable me to fulfill an authorized production schedule for the production of farm machinery and equipment. Delivery may be made to me under Direction 1 to Order M-364, with the terms of which I am familiar.

Purchaser

By

Duly authorized official

Date

(c) Any producer may sell, ship, or deliver restricted hardwood lumber (either directly or through one or more intervening persons) to fill any order or contract bearing such a certificate, just as if the order were certified in the way prescribed by paragraphs (b) (1) or (b) (2) of Order M-364. The use of the above form of certificate by the buyer and delivery by the producer is subject to all the terms and conditions of M-364 with respect to certified orders, so far as applicable. No one may use the certificate to get more lumber than the minimum necessary to fulfill his authorized schedules for the production of farm machinery, or to get lumber for any use except as production material; for example, no one can get lumber under this direction for boxing and crating his product. The inventory restrictions of paragraph (c) of Order M-364 are waived so long as the above restrictions are complied with.

(d) Manufacturers of farm machinery who get restricted hardwood lumber under this direction shall report by letter, ten days after the end of each quarter, to the War Food Administration, Office of Materials and Facilities, Washington, D. C., stating their inventories of restricted hardwood for production material at the beginning of the quarter, the amount delivered to them for production material during the quarter, and the amount used for production material during the quarter, whether obtained under this direction or in some other way. This reporting requirement has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(e) Manufacturers of farm machinery do not have to get restricted hardwood lumber under this direction unless they want to. They may get it in any other way that is allowed under M-364. For example, a small

manufacturer who buys from a mill producing less than 10,000 board feet a day may prefer not to change his arrangements. Manufacturers who buy from a limited number of sources may prefer to file on WPB-2720.

(f) "Farm machinery" means farm machinery and equipment as defined in Orders L-257 and L-257-a. "Production material" means material for the production of farm machinery.

Issued this 6th day of January 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-313; Filed, January 6, 1944,
11:25 a. m.]

PART 3293—CHEMICALS¹

[Allocation Order M-25 (General Preference Order M-25), as Amended Jan. 6, 1944]

FORMALDEHYDE, HEXAMETHYLENETETRAMINE AND PENTAERYTHRITOL

§ 3293.56¹ Allocation Order M-25—

(a) Definitions. For the purpose of this order:

(1) "Formaldehyde" means the chemical compound known by that name in any form and from whatever source derived. The term formaldehyde includes formaldehyde in solution form of any concentration including, but not limited to, solutions known as Formalin and Formol. The term formaldehyde also includes formaldehyde in dry form, commonly known as paraformaldehyde.

(2) "Hexamethylenetetramine" means the reaction product of formaldehyde and ammonia known also as hexamethylenimine, methenamine, hexamine, aminoform, urotropin, formin, cystamin, and cystogen.

(3) "Pentaerythritol" means the reaction product of formaldehyde and acetaldehyde.

(4) "Supplier" means any producer or distributor as herein defined.

(5) "Producer" means any person who produces formaldehyde, hexamethylenetetramine or pentaerythritol, regardless of whether he produces it for his own account or pursuant to toll agreement.

(6) "Distributor" means any purchaser of formaldehyde, hexamethylenetetramine, or pentaerythritol from a producer for purpose of resale without further processing or admixing.

(b) Restrictions on use and delivery of formaldehyde, hexamethylenetetramine or pentaerythritol. (1) On and after March 1, 1943, no supplier of formaldehyde, hexamethylenetetramine or pentaerythritol shall use or deliver such material, and no person shall accept delivery of such material from a supplier, except as specifically authorized by the War Production Board, upon application pursuant to paragraph (f).

(2) Each person authorized to use or accept delivery of formaldehyde, hexamethylenetetramine or pentaerythritol shall use such material only for the purpose authorized, except as otherwise

¹ Formerly Part 967, § 967.1.

specifically directed by the War Production Board.

(3) In addition to regular monthly allocations, the War Production Board, at its discretion, may at any time issue special directions to any person with respect to the use, transportation or delivery of formaldehyde, hexamethylenetetramine, or pentaerythritol by such person, or of products made from such materials allocated to such person, notwithstanding the provisions of paragraphs (c), (d) or (e) hereof, or may issue special directions to any producer with respect to the kinds or quantity of formaldehyde, hexamethylenetetramine or pentaerythritol which he may produce or manufacture.

(c) *Small order exemption.* Notwithstanding the provisions of paragraph (b) (1):

(1) Any person may use or accept delivery of formaldehyde in quantities of 10,000 pounds or less of 37% solution formaldehyde (or any other weight or solution containing the same amount of formaldehyde) plus 3,000 pounds or less of paraformaldehyde, and hexamethylenetetramine in quantities of 10,000 pounds or less, and pentaerythritol in quantities of 100 pounds or less, in the aggregate during any calendar month without specific authorization under this order if he has not been specifically authorized to use or accept delivery of any quantity of the same material during the same month.

(2) A supplier may fill small orders for the quantities specified in the above paragraph (c) (1) if he delivers not more than these quantities to any customer in any calendar month, and if the total amount delivered on all such orders does not exceed the following:

(i) The amount which he has been specifically authorized, upon application pursuant to paragraph (f) (2), to deliver on small orders; or

(ii) The amount which he has been specifically authorized, upon application pursuant to paragraph (f) (1), to accept delivery of, or to use, to fill small orders; or

(iii) The amount which he himself acquired on small orders and has not used for other purposes.

Suppliers who customarily resell exclusively on small orders shall not be subject to the limit on total small orders imposed by paragraphs (c) (2) (i) (ii) and (iii) above.

(d) *Defense plant production exemption.* Formaldehyde, hexamethylenetetramine and pentaerythritol produced by any department or agency of the United States Government, or produced in any plant owned by any agency of the United States Government, and which is delivered to and consumed by any such department, agency or plant, may be so used and delivered without specific authorization under this order,

notwithstanding the provisions of paragraph (b) (1).

(e) *Special exemption for March.* Notwithstanding the provisions of paragraph (b) (1), any supplier may deliver formaldehyde, hexamethylenetetramine or pentaerythritol, and any person may accept such delivery, prior to receipt of authorization by the War Production Board to make and to accept such delivery, if:

(1) Application pursuant to paragraph (f) to make and to accept such delivery shall have been filed with, or mailed to, the War Production Board on or before February 28, 1943; and

(2) Shipment shall have originated on or before March 31, 1943.

(f) *Applications and reports.* (1) Each person seeking authorization to accept delivery of formaldehyde, hexamethylenetetramine and pentaerythritol, and each supplier seeking authorization to use or accept delivery of formaldehyde, hexamethylenetetramine, or pentaerythritol, shall file application on Form PD-600 in the manner prescribed therein, subject to the following instructions for the purpose of this order:

Form PD-600. Copies of Form PD-600 may be obtained at local field offices of the War Production Board.

Time. Applications for delivery from a supplier shall be filed in time to ensure that copies will have reached the supplier and the War Production Board on or before the 15th day of the month preceding the month for which authorization for use or acceptance of delivery is requested, where the supplier is a producer; and on or before the 10th day where the supplier is a distributor.

During February, 1943, applications shall be filed as soon as practicable.

Number of copies. Five copies shall be prepared, of which one shall be retained by the applicant; one (with columns 11 through 23 inclusive blank) shall be sent to the supplier, and three certified copies shall be sent to the War Production Board, Chemicals Division, Washington 25, D. C. Ref.: M-25.

Number of sets. A separate set of PD-600 application forms shall be submitted for each supplier and requests on separate sets of forms shall be made for formaldehyde, hexamethylenetetramine and pentaerythritol, respectively.

Heading. Under name of chemical, specify formaldehyde, hexamethylenetetramine or pentaerythritol, as the case may be; under War Production Board order number, specify M-25; under unit of measure, specify pounds; and fill in other information as required.

Column 1. In the case of formaldehyde, specify whether dry or solution form and specify strength of the solution. In the case of hexamethylenetetramine and pentaerythritol, specify grade as U. S. P., Technical, or other specified grade.

Column 2. Fill in as indicated.

Column 3. Fill in as follows:

For orders on hand:

*Primary product
Export (in original form)
Resale (in original form)

For anticipated orders:

*Primary product
Export (in original form)
Resale (in original form)
Inventory (in original form)

*The primary products referred to above should be specified as follows:

(For formaldehyde)

Allocated resins (specify type of resin)
Non-allocated resins (specify type of resin)

Hexamethylenetetramine

Pentaerythritol
Ethylene glycol
Embalming fluid
Drugs and pharmaceuticals (specify)
Disinfectants
Insecticides
Fungicides
Cellulose esters (specify)
Dyes
Photographic chemicals
Other (specify)
(For hexamethylenetetramine)
Explosives
Allocated resins (specify type of resin)
Non-allocated resins (specify type of resin)
Drugs and pharmaceuticals (specify)
Other (specify)
(For pentaerythritol)
Allocated resins (specify type of resin)
Non-allocated resins (specify type of resin)
Explosives
Other (specify)

Column 4. Opposite any primary product listed in Column 3 which is subject to allocation, specify only the allocation order number in Column 4. For each primary product not under allocation, specify end use in Column 4.

Opposite "Resale" in Column 3, suppliers shall write into Column 4 "upon further authorization", or "for exempt small orders" (in accordance with paragraph (c) above).

Opposite "Export" in Column 3, specify in Column 4 the name of the individual, company or governmental agency to whom or for whose account the material will be exported, the country of destination and governing export license or contract numbers, unless Lend-Lease, in which case merely specify Lend-Lease. Also, indicate in Column 4 the same information with respect to any primary product listed in Column 3 which will be exported and which is not under allocation. For example, where explosives are specified in Column 3, indicate whether such explosives are to be exported.

Opposite "Inventory" in Column 3, leave Column 4 blank.

Columns 5, 6, 7, 8, and 9. Leave blank. *Column 10.* Specify requested delivery dates.

Table II. Fill in as indicated. The same grades, if any, shall be listed in Column 11 as in Column 1.

Table III. Fill in as indicated.

Table IV. Fill in as indicated for each primary product listed in Column 3 above, except those primary products under direct allocation under another War Production Board order (such as allocated synthetic resins).

(2) Each supplier seeking authorization to make delivery of formaldehyde, hexamethylenetetramine or pentaerythritol during any calendar month shall file application on Form PD-601 in the manner prescribed therein, subject to the following instructions for the purpose of this order:

Form PD-601. Copies of Form PD-601 may be obtained at local field offices of the War Production Board.

Time. Each supplier shall make application on Form PD-601 on or before the 20th day of the month preceding the month for which authorization to make delivery is requested, except that applications for March, 1943, may be filed or mailed as late as February 28, 1943.

Number of copies. Four copies shall be prepared, of which one shall be retained by the supplier and three certified copies shall be filed with the War Production Board, Chemicals Division, Washington 25, D. C., Ref.: M-25.

Number of sets. A separate set of PD-601 forms shall be filed for each plant or shipping point of supplier, and a separate set for formaldehyde, hexamethylenetetramine and pentaerythritol respectively.

Heading. Under name of chemical, specify formaldehyde, hexamethylenetetramine or pentaerythritol, as the case may be; under War Production Board order number, specify M-25; under unit of measure, specify pounds; and fill in other information as required.

Table I. Fill in as indicated. Each supplier filing a PD-600 application for use or acceptance of delivery, specifying himself as his supplier, shall list his own name as customer on his PD-601 form. An aggregate quantity may be requested for delivery on exempt small orders (paragraph (c) above) without listing individual customers.

Table II. Fill in all columns as indicated. Grades shall be specified as provided in the instructions above for Column 1 of Form PD-600.

(3) The War Production Board may require each person affected by this order to file such other reports as may be prescribed, and may issue special directions to any such person with respect to preparing and filing Forms PD-600 and PD-601.

(g) *Allocations for inventory.* Formaldehyde, hexamethylenetetramine or pentaerythritol allocated for inventory shall not be used for any purpose except as specifically directed by the War Production Board or except to fill orders for authorized uses pending arrival of the formaldehyde, hexamethylenetetramine or pentaerythritol allocated to fill such orders. Upon arrival of such material, the allocated inventory shall be restored.

(h) *Delayed deliveries.* Each supplier shall fill all authorized orders in full and during the month for which allocated, as far as possible.

Each supplier shall notify the War Production Board of the cancellation of any, authorized order, or of postponement of any authorized delivery for more than ten days after the allocation month, or of his inability to make any authorized delivery, as soon as possible after he has notice of such fact.

(i) *Notification of customers.* Each supplier shall notify his regular customers as soon as possible of the requirements of this order, but failure to receive such notice shall not excuse any person from complying with the terms hereof.

(j) *Miscellaneous provisions.*—(1) *Applicability of regulations.* This order and all transactions affected hereby are subject to all applicable provisions of War Production Board regulations, as amended from time to time, except Priorities Regulation No. 13, which shall be subject to this order to the extent that it is inconsistent herewith.

(2) *Violations.* Any person who willfully violates any provision of this order or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under pri-

ority control and may be deprived of priorities assistance.

(3) *Communications.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington 25, D. C., Ref: M-25.

Issued this 6th day of January 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-315; Filed, January 6, 1944,
11:22 a. m.]

PART 3293—CHEMICALS¹

[Allocation Order M-31 as Amended Jan. 6, 1944]

ALCOHOL

§ 3293.71¹ Allocation Order M-31—

(a) *Definitions.* (1) "Methyl alcohol" (methanol), known also as wood alcohol, means methyl alcohol in any form and from whatever source derived.

(2) "Producer" means any person engaged in the production of methyl alcohol and includes any person who has methyl alcohol produced for him pursuant to toll agreement.

(3) "Distributor" means any person who has purchased or purchases methyl alcohol for purposes of resale.

(b) *Restrictions on deliveries and use.* (1) Subject to paragraph (c) hereof, no producer or distributor shall on and after January 15, 1943 deliver or use methyl alcohol, and no person shall accept delivery of methyl alcohol from a producer or distributor, except as specifically authorized or directed by the War Production Board.

(2) Authorizations or directions with respect to deliveries to be made or accepted in each calendar month will so far as practicable be issued by the War Production Board prior to the commencement of such month, but the War Production Board may at any time at its discretion and notwithstanding the provisions of paragraph (c) hereof, issue directions with respect to deliveries to be made or accepted. The War Production Board may also at any time issue directions with respect to the use or uses which may or may not be made of material to be delivered or then on hand, or issue directions to a producer with respect to the grade of methyl alcohol which he may or must manufacture.

(3) Each person specifically authorized to accept delivery of methyl alcohol shall use such material for the purpose authorized, and only for such purpose, except as otherwise specifically directed.

(4) Methyl alcohol allocated for inventory shall not be used except as specifically directed by the War Production Board. Methyl alcohol allocated to fill a specified order or class of orders shall, where and to the extent that such order or class of orders is subsequently cancelled, revert to inventory.

¹ Formerly Part 971, § 971.2 (*General Preference Order M-31*).

(5) The quantity of methyl alcohol that may be used in the manufacture of anti-freeze shall be controlled by the provisions of General Limitation Order No. L-51, as amended from time to time.

(c) *Small order exemption.* No specific authorization shall be required for:

(1) Acceptance of delivery by any person in any one calendar month of 540 gallons (10 drums) or less of methyl alcohol in the aggregate; *Provided*, That such person has not been specifically authorized to accept delivery of any quantity of such material during such month;

(2) The delivery by any producer or distributor to any person who shall have filed with him a certificate in substantially the following form:

The undersigned purchaser hereby certifies to the War Production Board and to his supplier that the methyl alcohol hereby ordered for delivery in _____, 194____, does not, taken with all other methyl alcohol delivered or to be delivered in such month, exceed 540 gallons (10 drums).

Name of purchaser
By _____
Authorized official title

Provided, however, That no producer shall deliver an aggregate amount of methyl alcohol in any one calendar month pursuant to this paragraph (c) in excess of 2% of the amount of his estimated production of methyl alcohol for such month.

(3) The use by any producer in any calendar month of 540 gallons (10 drums) or less of methyl alcohol in the aggregate.

(d) *Applications for delivery of methyl alcohol and reports.* (1) Each person seeking authorization to accept delivery of methyl alcohol during any calendar month, beginning with February, 1943, whether for his own consumption or resale, (and each producer seeking authorization to use methyl alcohol during any calendar month) shall file application therefor on or before the 10th day of the month preceding the month for which authorization for delivery or use is requested, except that requests for delivery from a distributor shall be filed not later than the 7th day of such preceding month. Application for acceptance of delivery or use in January, 1943, shall be filed as many days as possible in advance of the requested delivery or use. In any case, such application should be made on Form WPB-2945 (formerly PD-600) in the manner prescribed therein, subject to the following special instructions:

(i) Copies of Form WPB-2945 (formerly PD-600) may be obtained at local field offices of the War Production Board.

(ii) Five copies shall be prepared, of which one shall be forwarded to supplier and three forwarded to the War Production Board, Chemicals Division, Washington 25, D. C., Ref.: M-31, the fifth to be retained for applicant's files.

(iii) In the heading, under name of chemical, specify "methyl alcohol"; under "WPB Order No.," specify "M-31"; under unit of measure, specify gallons; under name of your company, specify

name and mailing address; and specify the month and year for which authorization for acceptance of delivery is sought.

(iv) In Columns 1, 11 and 19, indicate grade in terms of the following: Pure, denaturing grade, 95-97%.

(v) In Columns 3, 20 and 22, specify your primary product in terms of the following:

Acetic acid.	Methyl acetate.
Denaturant.	Methyl chloride.
Dimethyl aniline.	Methyl formate.
Dimethyl phthalate.	Methyl methacrylate.
Ethylene glycol.	Other (specify).
Formaldehyde.	Resale (as methyl alcohol).
Formamide.	Inventory (as methyl alcohol).
Formic acid.	
Methyl amine.	

(vi) In Column 4, specify ultimate use of product. For example, if the "primary product" called for in Column 3 is "formaldehyde," the "ultimate use" of the product might be "phenol formaldehyde resin." Also, specify in each case whether your customer is Army, Navy, other government agency, Lend-Lease or commercial customer, and give government specification number, if any. Where the Form WPB-2945 (formerly PD-600) is an application for methyl alcohol for resale to others, leave Column 4 blank. Where the Form WPB-2945 (formerly PD-600) is an application for methyl alcohol for inventory, applicant shall specify in Column 4 the amount, if any, considered necessary to bring his inventory to a safe working minimum.

(2) Each producer or distributor seeking authorization to make delivery of methyl alcohol during any calendar month, beginning with February, 1943, shall file application on or before the 17th day of the month preceding the month for which authorization is requested. Where authorization to deliver in January, 1943, is sought, such Form WPB-2946 (formerly PD-601) shall be filed as many days as possible in advance of the requested delivery. Such application shall be made on Form WPB-2946 (formerly PD-601) in the manner prescribed herein, subject to the following special instructions:

(i) Copies of Form WPB-2946 (formerly PD-601) may be obtained at local field offices of the War Production Board.

(ii) Four copies shall be prepared, of which three shall be filed with the War Production Board, Chemicals Division, Washington 25, D. C., Ref.: M-31, the fourth to be retained for applicant's files. A separate set of Form WPB-2946 (formerly PD-601) shall be filed for each grade of methyl alcohol for which authorization to deliver is sought, viz, Pure, denaturing grade, 95-97%.

(iii) Producers and distributors who have filed application on Form WPB-2945 (formerly PD-600), specifying themselves as their suppliers, shall list their own names as customers on Form WPB-2946 (formerly PD-601), and shall list their requests for allocation in the manner prescribed for other customers.

(iv) In the heading, under name of chemical, specify "methyl alcohol"; under WPB Order No., specify "M-31";

under name of company, state your name and mailing address; under unit of measure, specify gallons; and state the month and year during which deliveries covered by the application are to be made.

(v) List all customers alphabetically. The names of customers to whom small order deliveries are to be made during the next month pursuant to paragraph (c) of this order need not be given, but insert in Column 1 "Total small order deliveries (estimated)" and in Column 4 specify the estimated quantity. If it is necessary to use more than one sheet to list customers, number each sheet in order and show grand total for all sheets on the last sheet which is the only one that need be certified.

(vi) Column 5 may, at your discretion, be left blank.

(vii) Leave Column 6 blank.

(3) The War Production Board may require each person affected by this order to file such other reports as may be prescribed, and may issue other and further directions with respect to preparing and filing Forms WPB-2945 (formerly PD-600) and WPB-2946 (formerly PD-601).

(f) *Miscellaneous provisions*—(1) *Applicability of priorities regulations*. This order and all transactions affected hereby are subject to all applicable provisions of War Production Board Priority Regulations as amended from time to time.

(2) *Violations*. Any person who willfully violates any provisions of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(3) *Communications to War Production Board*. All reports required to be filed hereunder, and all communications concerning this order shall unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington 25, D. C., Ref.: M-31.

NOTE: The reporting provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 6th day of January 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-305; Filed, January 6, 1944,
11:22 a. m.]

PART 3293—CHEMICALS¹

[Allocation Order M-183 as Amended Jan. 6, 1944]

PHOSPHATE PLASTICIZERS¹

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of phosphate

plasticizers, as hereinafter defined, for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3293.256¹ Allocation Order M-183—

(a) *Definitions*. For the purpose of this order:

(1) "Phosphate plasticizers" means the following phosphate plasticizers in any form and from whatever source derived:

Tricresyl phosphate
Triphenyl phosphate
Di-phenyl mono-(ortho xenyl) phosphate
Di-(ortho xenyl) mono-phenyl phosphate

(2) "Producer" means any person engaged in the production of phosphate plasticizers and includes any person who has such phosphate plasticizers produced for him pursuant to toll agreement.

(3) "Distributor" means any purchaser of phosphate plasticizers for purpose of resale.

(b) *Restrictions on use and delivery of phosphate plasticizers*. Except as specifically authorized in writing by the War Production Board upon application pursuant to paragraph (c), no person shall use, deliver or accept delivery of tricresyl phosphate or triphenyl phosphate on or after August 1, 1942, or of di-phenyl mono-(ortho xenyl) phosphate or di-(ortho xenyl) mono-phenyl phosphate on or after June 1, 1943; *Provided, however*, That no such specific authorization shall be required with respect to:

(1) The use or acceptance of delivery by any person during any one calendar month of one thousand (1000) pounds or less of phosphate plasticizers;

(2) The delivery by any producer or distributor of one thousand (1000) pounds or less of phosphate plasticizers to any one person during any one calendar month (which may be made without regard to preference ratings), provided that the aggregate amount of such deliveries by any producer or distributor during any one calendar month shall not exceed two percent (2%) of the deliveries which he is specifically authorized to make during such month, or such amount as may be specifically authorized by the War Production Board.

(c) *Applications and reports*. (1) Each person (including producers and distributors seeking authorization to use or accept delivery of phosphate plasticizers during any calendar month shall file application on or before the 15th day of the month preceding the month for which authorization for use or delivery is requested. Such application shall be made on the Form WPB-2945 (formerly PD-600), except as provided in paragraph (c) (3), in the manner prescribed therein, subject to the following instructions for the purpose of this order:

(i) Copies of Form WPB-2945 (formerly PD-600) may be obtained at local field offices of the War Production Board.

(ii) Five copies shall be prepared, of which one shall be forwarded to supplier and three certified copies to the War Production Board, Chemicals Division, Washington 25, D. C. Ref.: M-183. Only

¹ Formerly Part 1294, § 1294.1.

four copies need be prepared where supplier is "own stocks." A separate set shall be made up for each supplier from whom delivery is requested (except that where application is made for acceptance of delivery of any quantity from a supplier, it is not necessary to file a separate set listing "own stocks" as supplier). Also, separate sets shall be made for each different phosphate plasticizer sought.

(iii) In the heading, under the name of chemical, specify the particular phosphate plasticizer sought (not more than one); under War Production Board Order, Specify M-183; under name of company, specify name and mailing address, and specify delivery destination, supplier and shipping point; under unit of measure, specify pounds; and specify the month and year for which authorization for use or acceptance of delivery is sought.

(iv) Leave Column 1 blank.

(v) In Columns 3, 20 and 22, specify primary product in terms of the following:

Army cable insulation.
Navy cable insulation.
Other wire coatings.
Textile coatings.
Airplane dope.
Army cable lacquer.
Navy cable lacquer.
Other wire lacquers.
Other lacquers.
Paper coatings.
Molding compounds.
Photographic film.
Chemical resistant coatings.
Oil additive.
Motor fuel additive.
Inks.
Adhesives.
Artificial leather.
Rubber (natural or synthetic).
Sheet plastic.
Lubricants.
Miscellaneous (specify).
Inventory.
Export (as phosphate plasticizer; specify contract, country and whether Lend-Lease).
Resale (as phosphate plasticizer, upon further authorization).

Phosphate plasticizers allocated for inventory shall not be used except as specifically directed by the War Production Board, or to fill orders authorized by the War Production Board pending arrival of the phosphate plasticizers allocated to fill such orders, provided that upon arrival of such plasticizers the allocated inventory is restored.

(vi) In column 4 describe the use or end product, such as windshield glass, raincoats, tank cable, and the like. Opposite "Miscellaneous" in column 3 show in column 4 the groupings, insofar as possible, of the more important miscellaneous primary products.

(vii) In Columns 11 and 19 specify only the particular phosphate plasticizer sought and fill in the other columns of Tables II and III accordingly.

(viii) Subject to the above instructions fill in all tables and columns of the form as prescribed therein, leaving only columns 1, 9 and 10 blank.

(2) Each producer and distributor seeking authorization to make delivery of phosphate plasticizers during any calendar month shall file application on or before the 24th day of the month pre-

ceding the month for which authorization is requested. Such application shall be made on Form WPB-2946 (formerly PD-601) in the manner prescribed therein, subject to the following instructions for the purpose of this order:

(i) Copies of Form WPB-2946 (formerly PD-601) may be obtained at local field offices of the War Production Board.

(ii) Prepare four copies and forward three certified copies to the War Production Board, Chemicals Division, Washington 25, D. C., Reference M-183. Separate sets of forms shall be filed for each different phosphate plasticizer.

(iii) Suppliers who have filed application on Form WPB-2945 (formerly PD-600) specifying themselves as supplier, shall list their own names as customers on Form WPB-2946 (formerly PD-601) and shall list their request for allocation in the manner prescribed for other customers.

(iv) In the heading, under name of chemical, specify the particular phosphate plasticizer to be delivered (not more than one); under War Production Board Order, specify M-183; under name of company, specify name and mailing address; give address of plant or warehouse; check whether producer or distributor; under unit of measure, specify pounds; and state the month and year during which deliveries covered by the application are to be made.

(v) Leave columns 3 and 8 blank.

(vi) In column 5 specify proposed deliveries, delivery dates, and shipping container (drums or tank cars).

(vii) No statement need be made with respect to deliveries which may be made during the next month pursuant to paragraph (b) (2) of this order.

(viii) If it is necessary to use more than one sheet to list customers, number each sheet in order and show grand totals for all sheets on the last sheet, which is the only one that need be certified.

(ix) Fill in all columns in Tables I and II, except columns 3, 6, 7 and 8.

(3) Application for authorization under this order by the United States Army, Navy, Coast Guard, Maritime Commission and War Shipping Administration may be made in any manner.

(4) The War Production Board may require each person affected by this order to file such other reports as may be prescribed, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942, and may issue special directions to any person with respect to preparing and filing Forms WPB-2945 (formerly PD-600) and WPB-2946 (formerly PD-601).

(d) Notification of customers. Producers and distributors of phosphate plasticizers are requested to notify as soon as practicable each of their regular customers of the requirements of this order as amended, but failure to receive such notice shall not excuse any person from complying with the terms hereof.

(e) Miscellaneous provisions—(1) Applicability of regulations. This order and all transactions affected hereby are subject to all applicable provisions of

War Production Board regulations as amended from time to time.

(2) Violations. Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) Communications to War Production Board. All reports required to be filed hereunder, and all communications concerning this Order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington 25, D. C., Ref.: M-183.

Issued this 6th day of January 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-316; Filed, January 6, 1944,
11:22 a. m.]

PART 3293—CHEMICALS¹

[Allocation Order M-190 as Amended Jan. 6,
1944]

CALCIUM CARBIDE

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of calcium carbide for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3293.271¹ Allocation Order M-190—
(a) Definitions. (1) "Calcium carbide" means the chemical compound of that name.

(2) "Producer" means any person engaged in the production of calcium carbide and includes any person who has such material produced for him pursuant to toll agreement.

(3) "Distributor" means any person who has purchased or purchases calcium carbide for resale.

(b) Restrictions on deliveries and use. (1) Subject to paragraph (c) hereof, on and after January 1, 1943, no producer or distributor shall deliver or use calcium carbide, and no person shall accept delivery of calcium carbide from a producer or distributor, except as specifically authorized or directed by the War Production Board.

(2) Authorizations or directions with respect to deliveries to be made or accepted in each month, beginning with January, 1943, will so far as practicable be issued by the War Production Board prior to the commencement of such month, but the War Production Board may at any time (including the period prior to January 1, 1943), at its discretion and notwithstanding the provisions of

¹ Formerly Part 3003, § 3003.1.

paragraph (c) hereof, issue directions with respect to deliveries to be made or accepted or with respect to the use or uses which may or may not be made of material to be delivered or then on hand.

(3) Each person specifically authorized to accept delivery of calcium carbide shall use such material for the purpose authorized, and only for such purpose, except as otherwise specifically directed.

(4) Calcium carbide allocated for inventory shall not be used except as specifically directed by the War Production Board. Calcium carbide allocated to fill a specified order or class of orders shall, where and to the extent that such order or class of orders is subsequently cancelled, revert to inventory.

(c) *Exemption from requirement for specific authorization.* Notwithstanding the provisions of paragraph (b) (1) hereof, no specific written authorization or direction of War Production Board shall be required for:

(1) Acceptance of delivery by any person in any one calendar month of not more than 30 tons of calcium carbide in the aggregate; provided that such person has not been specifically authorized or directed to accept delivery of any quantity of calcium carbide during such month. For the purposes of paragraph (c) (1) and (c) (2), the term "person" means usual purchasing unit, whether plant, distributing agency, or corporation or other legal entity.

(2) The delivery by any producer or distributor to any person in any one calendar month of not more than 30 tons of calcium carbide, provided that such producer or distributor has not been specifically authorized or directed to deliver any quantity of calcium carbide to such person in such month.

(3) The use by any producer in any calendar month of 30 tons or less of calcium carbide in the aggregate.

(d) *Applications and reports.* (1) Each person seeking authorization to accept delivery of calcium carbide during any calendar month, beginning with January, 1943 (except as provided in paragraph (c) hereof), whether for his own consumption or resale, shall file application therefor on or before the 15th day of the month preceding the month for which authorization for delivery is requested. Applications by producers for authorization to use calcium carbide shall be filed in the same manner. In any case, the application shall be made on Form WPB 2945 (formerly PD-600) in the manner prescribed therein, subject to the following special instructions:

(i) Copies of Form WPB 2945 (formerly PD-600) may be obtained at local field offices of the War Production Board.

(ii) Five copies shall be prepared, of which one shall be forwarded to supplier, three forwarded to the War Production Board, Chemicals Division, Washington 25, D. C., Ref.: M-190, and the fifth retained for your files.

(iii) In the heading, under name of chemical, specify calcium carbide; under WPB Order No., specify M-190; under unit of measure, specify pounds; under name of your company, specify name and mailing address; and specify the month

and year for which authorization for acceptance of delivery is sought.

(iv) In Columns 1, 11 and 19, specify size in terms of the following:

Unscreened.
Lump ($3\frac{1}{2}$ x 2 inches).
Egg ($2 \times \frac{1}{2}$ inch).
Nut ($1\frac{1}{4}$ x $\frac{3}{4}$ inch).
Miners ($\frac{1}{2}$ inch).
Quarter ($\frac{1}{4}$ x $\frac{1}{2}$ inch).
Rice (Almost the size of rice).
14ND (Finely granulated).
Fines (Dust).

(v) In Columns 3, 20 and 22, specify your primary product in terms of the following:

Neoprene.
Acetic anhydride.
Trichlorethylene.
Tetrachlorethane.
Acetylene for resale only.
Acetylene for use by you in (insert whether manufacture of steel, production of scrap iron, ship building, railroads, aircraft, automotive, mining, house lighting, all others).
Hexachlorethane.
Polyvinylchloride.
Vinyl acetate.
Other chemical (specify).
Resale (as calcium carbide).
Inventory (see paragraph (b) (4)).

(vi) In Column 4, specify ultimate use of product, (for example, if the primary product called for by Column 3 is acetic anhydride, the ultimate use of product might be rayon truck tire fabric), and also specify in each case whether your customer is Army, Navy, other government agency, Lend-Lease, or commercial customer. Column 4 may be left blank when the "primary product" is bottled acetylene gas.

(vii) [Revoked June 15, 1943]

(2) Each producer or distributor seeking authorization to make delivery of calcium carbide during any calendar month beginning with January, 1943, shall file application on or before the 20th day of the month preceding the month for which authorization is requested. Such application shall be made on Form WPB 2946 (formerly PD-601), in the manner prescribed therein, subject to the following special instructions:

(i) Copies of Form WPB 2946 (formerly PD-601) may be obtained at local field offices of the War Production Board.

(ii) Prepare four copies and forward three to the War Production Board, Chemicals Division, Washington 25, D. C., Ref.: M-190, retaining the fourth copy for your files.

(iii) Producers or distributors who have filed application on Form WPB 2945 (formerly PD-600), specifying themselves as their suppliers, shall list their own names as customers on Form WPB 2946 (formerly PD-601), and shall list their requests for allocation in the manner prescribed for other customers.

(iv) In the heading, under name of chemical, specify calcium carbide; under WPB Order No., specify M-190; under name of company, state your name and mailing address; under unit of measure, specify pounds; and state the month and year during which deliveries covered by the application are to be made.

(v) In Columns 3 and 8, specify size in terms indicated in paragraph (d) (1) (iv) hereof.

(vi) Column 5 may, at your discretion, be left blank.

(vii) Names of customers to whom small order deliveries are to be made during the next month pursuant to paragraph (c) of this order need not be given, but insert in Column 1 "Total small order deliveries (estimated)" and in Column 4, the estimated quantity.

(viii) If it is necessary to use more than one sheet to list customers, number each sheet in order and show grand totals for all sheets on the last sheet, which is the only one that need be certified.

(3) The War Production Board may require each person affected by this order to file such other reports as may be prescribed, and may issue other and further directions to any such persons with respect to preparing and filing Forms WPB 2945 (formerly PD-600) and WPB 2946 (formerly PD-601).

(e) *Certification of customer's use of acetylene for certain uses.* (1) On and after July 1, 1943, no person who is required by paragraph (b) (1) hereof to obtain specific authorization or direction in writing of War Production Board, to receive or use calcium carbide for the generation of acetylene, shall accept or fill any order for acetylene for a purpose other than welding or cutting unless the person placing the order shall have furnished him or shall have filed with War Production Board, Chemicals Division, Washington 25, D. C., Ref.: M-190, a certificate in substantially the following form:

The undersigned purchaser hereby certifies to War Production Board and to his supplier, pursuant to Order M-190, that the acetylene hereby ordered will be used by him in the manufacture of the following product(s), and that such product(s), on the basis of an order or orders filed by the undersigned, will be put to the following end use(s):

	Cubic feet	Primary product	End use
(A)	-----	-----	-----
(B)	-----	-----	-----

(See paragraph (e) (2) hereof)

Name of purchaser		
Date	By	Title
	Duly authorized official	

Such certificate may be written on the purchase order or take the form of a separate instrument annexed to such order. If the certificate has been filed with War Production Board, the purchase order must contain a notation to that effect.

(2) The information set out in the certificate called for by paragraph (e) (1) shall be sufficiently specific to enable the generator of acetylene with whom the order is placed to indicate accurately on the application filed by him pursuant to paragraph (d) (1), both primary product and product end use (ultimate use). Also, the certificate must show whether the ultimate user is Army, Navy, other Government Agency, Lend-Lease or civilian customer, and must set

forth specification or contract numbers, if any.

(1) *Miscellaneous provisions*—(1) *Applicability of priorities regulations*. This order and all transactions affected hereby are subject to all applicable provisions of War Production Board priorities regulations, as amended from time to time.

(2) *Violations*. Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using material under priority control and may be deprived of priorities assistance.

(3) *Communications to War Production Board*. All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington 25, D. C. Reg.: M-190.

NOTE: The reporting provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 6th day of January 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-306; Filed, January 6, 1944,
11:22 a. m.]

PART 3293—CHEMICALS¹

[Allocation Order M-203, as Amended Jan. 6,
1944]

PHthalate PLASTICIZERS

§ 3293.281¹ Allocation Order M-203—
(a) *Definitions*. For the purpose of this order:

(1) "Phthalate plasticizers" means the following esters of phthalic acid:

GROUP I

Dimethyl phthalate
Diethyl phthalate
Dibutyl phthalate
Diamyl phthalate
Dicapryl phthalate
Di-methoxy ethyl phthalate
Di-ethoxy ethyl phthalate
Di-butoxy ethyl phthalate
Tributyl glycerol triphthalate
Di-cyclohexyl phthalate
Di-methylcyclohexyl phthalate
Castor oil phthalate
Hydrogenated castor oil phthalate
Isobutyl castor oil phthalate

GROUP II

Di 2-ethyl hexyl phthalate
Ethyl phthalyl ethyl glycolate
Butyl phthalyl butyl glycolate
Methyl phthalyl ethyl glycolate

(2) "Producer" means, with respect to any particular phthalate plasticizer, any person who produced such phthalate plasticizer, including any person who had such phthalate plasticizer produced for

him pursuant to toll agreement, but does not include any person who produced such phthalate plasticizer for another person pursuant to toll agreement.

(3) "Distributor" means, with respect to any particular phthalate plasticizer, any purchaser of such phthalate plasticizer from a producer for purpose of resale without further processing.

(b) *Restrictions on use and delivery of phthalate plasticizers*. (1) No producer or distributor shall use or deliver phthalate plasticizers, and no person shall accept delivery of phthalate plasticizers from a producer or distributor, except as specifically authorized by the War Production Board upon application pursuant to paragraph (d), or except as provided in paragraph (c).

(2) Each person authorized to accept delivery of phthalate plasticizers shall use such phthalate plasticizers for the purpose authorized, except as otherwise specifically directed by the War Production Board.

(3) The War Production Board in its discretion may from time to time issue special directions to any person with respect to the use, transportation or delivery of phthalate plasticizers by such person, or of products made from phthalate plasticizers allocated to such person.

(c) *Exceptions*. Specific authorization pursuant to paragraph (b) shall not be required with respect to the use, delivery or acceptance of delivery of phthalate plasticizers (which may be made without regard to preference ratings) as follows:

(1) Any producer or distributor may deliver phthalate plasticizers to any person entitled to accept delivery pursuant to paragraphs (c) (2) and (3) hereof: *Provided*, That no producer or distributor shall deliver an amount of any one kind of phthalate plasticizer in any one calendar month pursuant to this paragraph (c) in excess of 2% of the amount of such phthalate plasticizer which he is specifically authorized to deliver during such month pursuant to paragraph (b) above, or such other amount as may be specifically authorized by the War Production Board.

(2) Any producer may use and any person may accept delivery of five (5) gallons or less of each kind of phthalate plasticizer during any one calendar month.

(3) In addition to quantities of phthalate plasticizers which may be used and accepted pursuant to paragraph (c) (2), any person may use and accept delivery of 220 gallons or less of phthalate plasticizers of all kinds, consisting of not more than 110 gallons of any one kind of Group I phthalate plasticizer and not more than 55 gallons of any one kind of Group II phthalate plasticizer during any one calendar month: *Provided*, That he has not been specifically authorized to accept delivery during the same month of any quantity of the same kinds of phthalate plasticizers pursuant to paragraph (b): *And provided*, That no delivery pursuant to this paragraph (c) (3) shall be made or accepted unless and until the person accepting delivery shall file with the

person making delivery a certificate as follows:

CERTIFICATE

Order M-203 Small Order

The undersigned purchaser hereby represents to the seller and to the War Production Board that this order is placed in compliance with the terms of paragraph (c) (3) of phthalate plasticizer Order M-203, with the terms of which the undersigned is familiar.

(Name of purchaser)	(Address)
By _____	_____
(Signature and title of duly authorized officer)	(Date)

The above certificate shall be endorsed on or attached to the written contract or purchase order and shall be signed by an authorized official, either manually or as provided in Priorities Regulation No. 7. The producer or distributor receiving such certificate may rely on it unless he knows or has reason to believe that it is false.

(d) *Applications and reports*. (1) Each person seeking authorization to accept delivery of phthalate plasticizers, and each producer or distributor seeking authorization to use phthalate plasticizers during any calendar month, shall file application on Form WPB-2945 (formerly PD-600) in the manner prescribed therein, subject to the following instructions for the purpose of this order:

Form WPB-2945 (formerly PD-600). Copies of Form WPB-2945 (formerly PD-601) may be obtained at local field offices of the War Production Board.

Time. Application on Form WPB-2945 (formerly PD-600) shall be filed on or before the 15th day of the month preceding the month for which authorization for use or delivery is requested.

Number of copies. Five copies shall be prepared, of which one with columns 11 through 23 inclusive blank shall be forwarded to supplier, and three certified completely filled out copies shall be forwarded to the War Production Board, Chemicals Division, Washington 25, D. C., Ref: M-203. Only four copies need be prepared when supplier is "Own stocks".

Number of sets. A separate set of applications shall be made for each supplier from whom delivery is requested and separate sets shall also be made for each different phthalate plasticizer sought. It shall not be necessary, however, to make a separate application for use from own stock where application is also made for delivery from a supplier.

Heading. In the heading, under name of chemical, specify the phthalate plasticizer (one only); under War Production Board Order, specify M-203; under the name of company, specify name and mailing address; specify delivery destination, supplier and shipping point; and under unit of measure, specify pounds.

Table 1. Specify the month and year for which authorization for use or acceptance of delivery is sought.

Column 1. Leave blank.

Column 3. Specify primary product in terms of the following:

Adhesives
Airplane dope
Artificial leather
Cellophane
Cellulose acetate plastics
Cellulose acetate-butyrate plastics
Chemical resistant coatings
Denatured alcohol
Electric wire or cable

¹ Formerly Part 3030, § 3030.1.

Electric insulation other than wire or cable
Ethyl cellulose plastics
Inks
Lacquers and enamels
Laminated glass
Linoleum
Motor fuel additives
Nitrocellulose plastics
Oil additives
Paper coatings
Photographic films
Rubber—natural
Rubber—synthetic
Synthetic yarns and textiles
Textile coatings
Vinyl acetate and acetal plastics
Miscellaneous (Identify)
Resale (in original form)
Export (in original form)
*Inventory (in original form)

Column 4. In Column 4 describe the use or end product. For example, textile coatings should be further described as window shade cloth, Army raincoats, Army airplane paulins, etc., and lacquers should be further described as aircraft, furniture, etc. In addition, where the product listed in Column 3 is to be produced for direct war use as defined in the next paragraph, the applicant shall so specify, and shall also specify the particular Government department or agency if such department or agency is purchasing directly from the applicant.

Direct war use. "Direct war use", for the purpose of applications under this order, means any use where the phthalate plasticizers or products made therefrom are to be delivered to, or incorporated into material to be delivered to, the United States Army, Navy, Coast Guard, Maritime Commission, War Shipping Administration, Panama Canal, Coast and Geodetic Survey, Civil Aeronautics Authority, National Advisory Committee for Aeronautics, or Office of Scientific Research and Development, or the government of any country, including those in the Western Hemisphere, pursuant to the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States" (Lend-Lease Act), or the government of any of the following countries: Belgium, China, Czechoslovakia, Free France, Greece, Iceland, Netherlands, Norway, Poland, Russia, Turkey, United Kingdom, including its Dominions, Crown Colonies, and Protectorates, and Yugoslavia.

Columns 5, 6, 7, 8, 9, and 10. Leave blank, except for remarks, if any, in Column 10.

Tables II and III. Fill in as indicated, with reference to the one phthalate plasticizer specified in the heading of the form. Leave Columns 11 and 12 blank. In Table II report total inventory irrespective of whether or not received on allocation.

Table IV. Leave blank.

(2) Each producer and distributor seeking authorization to make delivery of phthalate plasticizers during any calendar month shall file application on Form WPB-2946 (formerly PD-601) in the manner prescribed therein, subject to the following instructions for the purpose of this order:

Form WPB-2946 (formerly PD-601). Copies of Form WPB-2946 (formerly PD-600) may be obtained at local field offices of the War Production Board.

***Inventory.** Phthalate plasticizer allocated for inventory shall not be used for any purpose except as specially directed by the War Production Board, or except to fill orders for authorized uses, pending arrival of the phthalate plasticizers allocated to fill such orders. Upon such arrival, the allocated inventory shall be restored.

Time. Application on Form WPB-2946 (formerly PD-601) shall be filed on or before the 22nd day of the month preceding the month for which authorization to make delivery is requested.

Number of copies. Prepare 4 copies and forward 3 certified copies to the War Production Board, Chemicals Division, Washington 25, D. C., Ref: M-203.

Number of sets. Separate sets of forms shall be filed for each phthalate plasticizer requested.

Suppliers who are customers. Suppliers who have filed applications on Form WPB-2946 (formerly PD-601) specifying themselves as suppliers, shall list their own names as customers on Form WPB-2946 (formerly PD-601) and shall list their request for allocation in the manner prescribed for other customers.

Heading. In the heading, under name of chemical, specify the phthalate plasticizer (one only); under WPB order number, specify M-203; under name of company, specify name and mailing address; give address of plant or warehouse; check whether producer or distributor; under unit of measure, specify pounds; and state the month and year during which deliveries covered by the application are to be made.

Columns 1, 2, 3 and 4. Fill in Columns 1, 2 and 4 as indicated and leave Column 3 blank.

Column 5. Specify proposed deliveries, delivery dates, and shipping container.

Columns 6 and 7. Column 6 must be left blank and Column 7 may be left blank.

Small orders. No statement need be made with respect to deliveries which may be made during the next month pursuant to paragraph (c) (1) of this order.

Table II. Fill in as indicated with reference to the one phthalate plasticizer specified in the heading of the form. Leave Column 8 blank.

Extra sheets. If it is necessary to use more than one set of sheets to list customers, number each set of sheets in order and show grand totals for all sheets on the last set of sheets, which should have Table II filled out and are the only ones that need be certified.

(3) Application for authorization under this order may be made in any manner by the United States Army, Navy, Maritime Commission, or War Shipping Administration.

(4) The War Production Board may require each person affected by this order to file such other reports as may be prescribed, and may issue special directions to any such person with respect to preparing and filing Forms WPB-2945 (formerly PD-600) and WPB-2946 (formerly PD-601).

(e) **Notification of customers.** Each producer and distributor shall notify his regular customers as soon as possible of the requirements of this order, but failure to receive such notice shall not excuse any person from complying with the terms hereof.

(f) **Miscellaneous provisions.**—(1) **Applicability of priorities regulations.** This order and all transactions affected hereby are subject to all applicable provisions of the War Production Board priorities regulations, as amended from time to time, except Priorities Regulation No. 13, which shall be subject to this order where inconsistent herewith.

(2) **Intra-company deliveries.** The prohibitions and restrictions of this or-

der with respect to deliveries of phthalate plasticizers shall apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division or section of a single enterprise to another branch, division or section of the same or any other enterprise under common ownership or control.

(3) **Violations.** Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(4) **Communications to War Production Board.** All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington 25, D. C., Ref: M-203.

Issued this 6th day of January 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-307; Filed, January 6, 1944,
11:23 a. m.]

PART 3293—CHEMICALS¹

[Allocation Order M-224, as Amended
Jan. 6, 1944]

FURFURAL

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of furfural for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3293.306 Allocation Order M-224—
(a) **Definitions.** For the purpose of this order:

(1) "Furfural" means monomeric furfuryl aldehyde from whatever source derived.

(2) "Producer" means any person who produces furfural.

(3) "Distributor" means any purchaser of furfural from a producer for purpose of resale without further processing.

(b) **Restrictions on use and delivery of furfural.** (1) On and after October 1, 1942, no producer or distributor shall use or deliver furfural, and no person shall accept delivery of furfural from a producer or distributor, except as specifically authorized by the War Production Board upon application pursuant to paragraph (d), or as provided in paragraph (c).

(2) Each person specifically authorized to accept delivery of furfural shall

¹ Formerly General Preference Order M-224, Part 3070, § 2070.1.

use such furfural for the purpose authorized, except as otherwise specifically directed.

(3) The War Production Board in its discretion may at any time issue special directions to any person with respect to the use or delivery of furfural by such person, notwithstanding the provisions of paragraph (c).

(c) *Small order exemption.* (1) Any person may accept delivery of, and any producer or distributor may use, 110 gallons or less of furfural in the aggregate during any one calendar month without specific authorization: *Provided*, That such person has not been specifically authorized to use or accept delivery of any quantity of furfural during such month.

(2) No delivery of 5 gallons or more of furfural shall be made or accepted pursuant to this paragraph unless and until the person accepting delivery shall certify in writing to the person making delivery that such delivery is accepted within the terms of paragraph (c) (1).

(3) Any producer or distributor may deliver furfural without specific authorization to any person entitled to accept delivery pursuant to this paragraph, provided that:

(i) No producer shall deliver an aggregate amount of furfural in any one calendar month pursuant to this paragraph in excess of 2% of the amount of furfural which he is specifically authorized to deliver during such month or other such amount as may be specifically authorized by the War Production Board; and

(ii) No producer or distributor shall make deliveries during any month pursuant to this paragraph if such deliveries will prevent completion of any deliveries which have been specifically authorized for such month; and

(iii) Any producer or distributor may make deliveries pursuant to this paragraph without regard to preference ratings.

(d) *Applications and reports.* (1) Each person seeking authorization to accept delivery of furfural, and each producer or distributor seeking to use or accept delivery of furfural during any calendar month, shall file application on or before the 15th day of the month preceding the month for which authorization for use or delivery is requested. Such application shall be made on Form WPB-2945 (formerly Form PD-600), in the manner prescribed therein, subject to the following instructions for the purpose of this order:

(i) Copies of Form WPB-2945 (formerly PD-600) may be obtained at local field offices of the War Production Board.

(ii) Five copies shall be prepared, of which one shall be forwarded to supplier and three certified copies to the War Production Board, Chemicals Division, Washington 25, D. C., Ref.: M-224.

(iii) In the heading, under name of chemical, specify "furfural"; under War Production Board order, specify "M-224"; under name of company, specify name and mailing address; under unit of measure, specify pounds; and specify the month and year for which authorization

for use or acceptance of delivery is sought.

(iv) Columns 1 and 11 shall be left blank.

(v) In Column 3 specify primary product in terms of the following:

Gas purification.	Hydrogenation.
Resins.	Miscellaneous.
Petroleum refining.	Export (as furfural).
Rosin refining.	Resale (as furfural).
Abrasive wheel binder.	Inventory.

(vi) In Column 4:

Identify gas purified.
State end-use of resins, insofar as practicable, such as, general molding, oil filter binder, etc.

Opposite petroleum or rosin refining in Column 3, leave Column 4 blank.

State name of product produced by hydrogenation.

Opposite "miscellaneous" show the groupings, as far as possible, of the more important miscellaneous primary products.

Opposite "Inventory," specify the amount considered necessary, if any, to bring the applicant's inventory to a safe working minimum; the ratings called for by Columns 5, 6, 7, and 8 need not be filled in opposite inventory in Column 3. Furfural allocated for inventory shall not be used or consumed without further authorization.

(vii) Tables III and IV shall be left blank.

(2) Each producer or distributor seeking authorization to make delivery of furfural during any calendar month shall file application on or before the 22nd day of the month preceding the month for which authorization is requested. Such application shall be made on Form WPB-2946 (formerly Form PD-601), in the manner prescribed therein, subject to the following instructions for the purpose of this order:

(i) Copies of Form WPB-2946 (formerly Form PD-601) may be obtained at local field offices of the War Production Board.

(ii) Prepare four copies and forward three certified copies to the War Production Board, Chemicals Division, Washington 25, D. C., Ref.: M-224.

(iii) Producers or distributors who have filed application on Form WPB-2945 (formerly Form PD-600), specifying themselves as their suppliers, shall list their own names as customers on Form WPB-2946 (formerly Form PD-601), and shall list their request for allocation in the manner prescribed for other customers.

(iv) In the heading, under name of chemical, specify "furfural"; under War Production Board order, specify "M-224"; under name of company, state name and mailing address; under unit of measure specify pounds; and state the month and year during which deliveries covered by the application are to be made.

(v) Columns 3 and 8 shall be left blank.

(vi) Column 5 may, at discretion, be left blank.

(vii) No statement need be made with respect to small order deliveries which may be made during the next month pursuant to paragraph (c) of this order.

(viii) If it is necessary to use more than one sheet to list customers, number each sheet in order and show grand

totals for all sheets on the last sheet, which is the only one that need be certified.

(3) The War Production Board may require each person affected by this order to file such other reports as may be prescribed, and may issue special directions to any such person with respect to preparing and filing Forms WPB-2945 and 2946 (formerly Forms PD-600 and PD-601).

(e) *Notification of customers.* Each supplier shall notify his regular customers as soon as possible, of the requirements of this order, but failure to receive such notice shall not excuse any person from complying with the terms hereof.

(f) *Miscellaneous provisions.* (1) *Applicability of priorities regulations.* This order and all transactions affected thereby are subject to all applicable provisions of War Production Board regulations, as amended from time to time.

(2) *Effect of other orders.* Nothing contained in this order shall be construed to limit the requirements of any other order of the War Production Board.

(3) *Violations.* Any person who wilfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(4) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington 25, D. C., Ref.: M-224.

Issued this 6th day of January 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-308; Filed, January 6, 1944;
11:23 a. m.]

PART 3293—CHEMICALS¹

[Allocation Order M-226, as Amended Jan. 6, 1944]

DICHLORETHYL ETHER

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of dichlorethyl ether for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3293.311¹ *Allocation Order M-226—*
(a) *Definitions.* For the purposes of this order: (1) "Dichlorethyl ether" means

¹ Formerly Part 3074, § 3074.1 (General Preference Order M-226).

a chlorinated ether having a specific gravity of 1.219 to 1.224 at 20° C. and having a boiling point range of 170° to 180° C. at 760 m.

(2) "Producer" means any person engaged in the production of dichlorethyl ether and includes any person who has such material produced for him pursuant to toll agreement.

(3) "Distributor" means any person who has purchased or purchases dichlorethyl ether for purposes of resale.

(b) *Restrictions on use and delivery.*

(1) On and after October 1, 1942 no producer or distributor shall use, and no person shall deliver, dichlorethyl ether except as specifically authorized by the War Production Board upon application pursuant to paragraph (d) hereof, and no person shall accept any delivery of such material which he knows or has reason to believe is made in violation of this order.

(2) Each person accepting delivery of dichlorethyl ether pursuant to specific authorization of the War Production Board shall use such material only for the purposes specified in such authorization.

(3) Each person affected by this order shall comply with such directions as may be given from time to time by the War Production Board with respect to the use or delivery of dichlorethyl ether.

(c) *Small order exemption.* Notwithstanding the provisions of paragraph

(b) (1) of the order, specific authorization of War Production Board is not necessary for acceptance of delivery and use by any person of not more than 550 pounds of dichlorethyl ether in any calendar month. No supplier may deliver in any calendar month more than the aggregate quantity of dichlorethyl ether authorized by War Production Board for such small deliveries on Form WPB 2946.

NOTE: Paragraphs (d), (e), (f) and (g), formerly paragraphs (c), (d), (e) and (f), redesignated Jan. 6, 1944.

(d) *Directions with respect to production and inventories.* (1) Each producer shall comply with such directions as may be given from time to time by the War Production Board with respect to the production of dichlorethyl ether.

(2) Each person affected by this order shall comply with such directions as may be given from time to time by the War Production Board with respect to the establishment of inventories of dichlorethyl ether.

(e) *Applications and reports.* In addition to such other reports as may from time to time be required by the War Production Board.

(1) Each producer or distributor seeking authorization to use, and each person seeking authorization to accept delivery of, any dichlorethyl ether pursuant to paragraph (b) (1) hereof, shall apply therefor on Form WPB-2945 (formerly Form PD-600). Such applicant shall file with the War Production Board the original and two copies of such form on or before the 15th day of the month preceding the month for which authori-

zation for use or delivery is requested and shall file with his supplier one copy of such form on or before the 15th day of such month if the supplier is a producer, on or before the 10th day of such month if the supplier is a distributor, which form shall be prepared in the manner prescribed therein, subject to the following specific instructions:

(i) *Heading.* Specify "dichlorethyl ether" and order number "M-226" and specify pounds as the unit of measure and in addition to specifying the delivery destination, indicate the address to which communications should be directed.

(ii) *Columns 1, 11 and 19.* Specify crude or refined.

(iii) *Columns 3, 20, and 22.* In the case of a distributor, specify "resale pursuant to further authorization". In the case of a consumer, specify "dichlorethyl ether."

(iv) *Column 4.* In the case of a distributor, disregard. In the case of a consumer, specify purification of butadiene, stock-piling, treatment of lubricating oil, manufacture of insecticides or other. If "other" is specified, describe briefly.

(2) Each producer and distributor seeking authorization to deliver dichlorethyl ether pursuant to paragraph (b)

(1) hereof, shall apply therefor on Form WPB-2946 (formerly Form PD-601). Such applicant shall file with the War Production Board the original and two copies of such form on or before the 20th day of the month preceding the month for which such authorization is requested, which form shall be prepared in the manner prescribed therein, subject to the following specific instructions:

(i) *Heading.* Specify "dichlorethyl ether" and order number "M-226" and specify pounds as the unit of measure and in addition to specifying the plant or warehouse address, indicate the address to which communications should be directed.

(ii) *Column 1.* List names of customers who apply on Form WPB 2945. After completing the list of customers, insert "Total small order deliveries (estimated)" for the dichlorethyl ether to be delivered pursuant to paragraph (c) of this order.

NOTE: Subdivision (e) (2) (iii), formerly (e) (2) (ii), redesignated Jan. 6, 1944.

(iii) *Columns 3 and 8.* Specify crude or refined.

(f) *Notification of customers.* Producers and distributors shall, as soon as practicable, notify each of their regular customers of the requirements of this order, but failure to give such notice shall not excuse any such person from complying with the terms hereof.

(g) *Miscellaneous provisions.* (1) *Applicability of priorities regulations.* This order and all transactions affected hereby are subject to all applicable provisions of War Production Board Regulations, as amended from time to time.

(2) *Intra-company deliveries.* The prohibitions and restrictions of this order with respect to deliveries of dichlorethyl

ether, shall apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division or section of a single enterprise to another branch, division or section of the same or any other enterprise under common ownership or control.

(3) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(4) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemical Division, Washington 25, D. C. Ref.: M-226.

NOTE: The reporting provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 6th day of January 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-309; Filed, January 6, 1944;
11:23 a. m.]

PART 3293—CHEMICALS¹

[Allocation Order M-227, as Amended Jan. 6, 1944]

COPPER CHEMICALS

§ 3293.316¹ Allocation Order M-227—

(a) *Definitions.* (1) "Copper chemicals" means copper sulfate, copper carbonate, copper oxide, copper chloride and copper cyanide. The term includes copper chemicals in both cupric and cuprous form.

(2) "Supplier" means any producer or distributor.

(3) "Producer" means any person engaged in the production of any copper chemical and includes any person who has any such chemical produced for him pursuant to toll agreement.

(4) "Distributor" means any person who has purchased or purchases any copper chemical for purpose of resale without change in form.

(5) "Quarter" means calendar quarter.

(b) *Restrictions on delivery and use.* (1) No supplier shall deliver or use any copper chemical, and no person shall accept delivery of any copper chemical from any supplier, except as specifically authorized by the War Production Board.

(2) Authorizations or directions with respect to deliveries to be made or accepted will, so far as practicable, be issued by the War Production Board prior

¹ Formerly Part 3075, § 3075.1 (General Preference Order M-227).

to the commencement of the quarter to which such authorizations or directions relate. The War Production Board may also in advance of each quarter issue directions with respect to use by suppliers in such quarter, but it may issue directions at any time to any person respecting use which may or may not be made of copper chemicals to be delivered or then on hand. Applications for copper chemicals not filed in advance of the quarter to which they relate at the times and in the manner provided by paragraph (d) (1) hereof, will not be approved in the absence of a showing of special circumstances.

(3) Each person authorized to accept delivery of copper chemicals shall use the same for the purpose authorized and only for such purpose except as otherwise specifically directed by the War Production Board.

(4) Copper chemicals allocated for inventory shall not be used or redelivered except as otherwise specifically directed by the War Production Board.

(5) Deliveries specifically authorized or directed to be made in any quarter by the War Production Board where the authorization or direction does not specify dates or order of shipment, may be made by any supplier in such quarter, without regard to preference ratings applicable to particular orders.

(c) *Exceptions to requirement for specific authorization.* Notwithstanding the provisions of paragraph (b) (1), no specific authorization or direction of the War Production Board shall be required for:

(1) Delivery by any supplier to any one person in any quarter, or the acceptance of delivery by any one person in any quarter from any supplier, of not more than 4000 lbs. of copper sulphate or of not more than 1000 pounds each of copper carbonate, copper chloride, copper cyanide and cupric oxide (no exemption for cuprous oxide): *Provided, however,* That the aggregate quantity of any copper chemical which any supplier may deliver in any quarter pursuant to this paragraph (c) (1) shall not exceed the quantity which the War Production Board shall have specifically authorized such supplier to deliver in such quarter under this paragraph (c) (1), on application filed by such supplier pursuant to subparagraph (d) (2) (vi) hereof.

(2) Delivery by any supplier to any person who shall have filed with him prior to such delivery a certificate in substantially the following form (which certificate may be endorsed upon or attached to the purchase order):

The undersigned hereby certifies to the War Production Board and to his supplier that the copper chemicals hereby ordered will be *used*, or *resold for use* [strike out inapplicable word or words] only for soil treatment or as an insecticide or fungicide in connection with the cultivation of agricultural crops, or in the manufacture of animal medicinals.

Name of Purchaser.

By -----

Authorized Official.

Date.

Title.

Such certificate shall be signed by an authorized official, either manually or as provided in Priorities Regulation No. 7. The receipt of such certificate shall not authorize the delivery of any copper chemical by a supplier where he knows or has reason to believe the same to be false, but in the absence of such knowledge or reason to believe, he may rely on the certificate.

(3) Acceptance of delivery by any person from any supplier solely for use, or for resale for use, for soil treatment or as an insecticide or fungicide in connection with the cultivation of any agricultural crop or in the manufacture of animal medicinals; provided that such person has filed with his supplier from whom delivery is accepted, a certificate in substantially the form set out in paragraph (c) (2).

(d) *Applications and reports.* (1) Each person requiring authorization to accept delivery of any copper chemical in any quarter, whether for own consumption or resale (and each supplier requiring authorization to use any copper chemical in any quarter) shall file application therefor on Form WPB 2945 (formerly PD-600). Such form shall be prepared in the manner prescribed therein, subject to the following special instructions:

(i) Copies of Form WPB 2945 (formerly PD-600) may be obtained at the local field offices of the War Production Board.

(ii) Five copies shall be prepared, of which three shall be forwarded to the War Production Board, Chemicals Division, Washington 25 D. C., Ref: M-227, one forwarded to the supplier and the fifth retained as a file copy by the applicant. At least one of the copies forwarded to the War Production Board shall be signed by applicant by a duly authorized official.

(iii) The three copies required to be forwarded to the War Production Board shall be sent in sufficient time to be received not later than the 5th day of the last month of the preceding quarter. The copy to be forwarded to supplier shall be sent in sufficient time to be received by supplier, if supplier is a producer, not later than such 5th day of the last month of the preceding quarter, or if supplier is a distributor, not later than the 1st day of such last month, applications covering the second quarter of 1943 shall be submitted not later than March 15, 1943, if supplier is a producer, or if supplier is a distributor, not later than March 12, 1943.

(iv) Under heading "Name of chemical", specify "Copper chemicals"; under "WPB Order No.", specify "M-227"; under heading "Indicate unit of measure", specify "pounds".

(v) In heading at top of Table I, specify "First quarter", "second quarter", etc., as the case may be, and insert year.

(vi) In Columns 1, 11 and 19 specify copper sulfate, copper carbonate, cuprous oxide, cupric oxide, copper chloride or copper cyanide and in each case indicate the percentage by weight of copper content.

(vii) In Columns 3, 20 and 22, applicant must specify his primary product in terms of the following:

Water treatment
Wire drawing
Electro plating
Mining
Catalyst
Gas sweetener
Anti-fouling paints
Preservatives

Dyes and pigments
Mildew-proofing
Agriculture
Other (specify)
Resale (as copper chemicals)
Inventory (as copper chemicals)

(viii) In Column 4, except where purchase is for resale or inventory, specify the ultimate use to which the product manufactured by applicant will be put, in the terms of the following:

Heat pads
Synthetic rubber
Petroleum
Electric batteries
Textiles
Lumber
Paint
Wood pulp
Pharmaceuticals
Pyrotechnics
Ceramics
Glazes
Porcelain enamel
Soot remover
Paper
Glass
Water
Other (specify)

Applicant will also specify in each case whether his customer is Army, Navy, other government agency, Lend-Lease or commercial customer and, where purchase is by government agency, will also indicate specification number, if any.

(2) Each supplier requiring authorization to make delivery of any copper chemical during any quarter shall file application therefor on or before the 10th day of the last month of the quarter preceding the quarter to which the application relates, except that applications for deliveries in the second quarter of 1943 may be filed on or before March 20, 1943. The application shall be made on Form WPB-2946 (formerly PD-601) in the manner prescribed therein, subject to the following special instructions:

(i) Copies of Form WPB-2946 (formerly PD-601) may be obtained at the local offices of the War Production Board.

(ii) Four copies shall be prepared of which three shall be sent to the War Production Board, Chemicals Division, Washington, D. C., Ref: M-227, the fourth copy to be retained for supplier's files. At least one of the three copies filed with War Production Board will be signed by the supplier by a duly authorized official.

(iii) Each supplier who has filed application on Form WPB-2945 (formerly PD-600) specifying himself as his supplier, shall list his own name as a customer on Form WPB-2946 (formerly PD-601) and shall list his request for allocation in the manner prescribed for other customers.

(iv) In the heading, under "Name of chemical", specify "Copper chemicals"; under "WPB Order No.", specify "M-227"; under "Name of company", state name and mailing address; under "Indicate unit of measure", specify "pounds"; and state the quarter and year during which deliveries covered by your application are to be made.

(v) In Column 1 insert names of customers for the delivery to whom it is necessary to obtain specific authorization, except as provided in the next two subparagraphs. If it is necessary to use more than one sheet to list customers, number each sheet in order and show grand totals for all sheets on the last sheet, which is the only one that need be certified.

(vi) Names of customers to whom supplier proposes to make small order deliveries

during the next quarter pursuant to paragraph (c) (1) of this order need not be listed, but supplier shall insert in Column 1 "Total proposed small order deliveries" and in Column 4 shall state the quantity.

(vii) Names of customers to whom deliveries are to be made by a distributor during the next quarter pursuant to paragraph (c) (2) for use, or resale for use, for soil treatment or as an insecticide or fungicide or in the manufacture of animal medicinals, need not be listed, but insert in Column 1 "Agricultural deliveries pursuant to paragraph (c) (2)" and in Column 4 state the quantity. Where the deliveries for Agricultural purposes pursuant to paragraph (c) (2) are to be made by a producer (as opposed to a distributor), the names of customers to whom such deliveries are to be made must be listed in Column 1.

(viii) In Columns 3 and 8, specify particular copper chemical, in terms of chemicals listed in paragraph (d) (1) (vi) hereof, and in each case indicate the percentage, by weight, of copper content.

(ix) The supplier may, if he wishes, leave Column 5 blank.

(3) The War Production Board may require each person affected by this order to file such other reports as may be prescribed, and may issue special directions to any such person with respect to preparing and filing Forms WPB-2945 (formerly PD-600) and WPB-2946 (formerly PD-601).

(e) *Restriction on use.* The use of copper chemicals in plating is prohibited in every case where the use of copper products or copper base alloy products in plating is prohibited by paragraph (d) (2) of Conservation Order M-9-c, as amended from time to time.

(f) *Notification of customers.* Each supplier shall notify his regular customers as soon as possible of the requirements of this order, but failure to receive such notice shall not excuse any person from complying with the terms hereof.

(g) *Miscellaneous provisions.*—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(2) *Violations.* Any person who wilfully violates any provisions of this order, or who, in connection with this order, wilfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington 25, D. C., Ref.: M-227.

Issued this 6th day of January 1944.

WAR PRODUCTION BOARD,

By J. JOSEPH WHELAN,

Recording Secretary.

[F. R. Doc. 44-310; Filed, January 6, 1944; 11:23 a. m.]

PART 3293—CHEMICALS¹

[Allocation Order M-230, As Amended Jan. 6, 1944]

PHOSPHORUS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of phosphorus, for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3293.321¹ Allocation Order M-230—(a) *Definitions.* For the purposes of this order:

(1) "Phosphorus" means the chemical element of that name in both yellow and white form excluding however, red phosphorus and other allotropic forms of phosphorus.

(2) "Producer" means any person engaged in the production of phosphorus and includes any person who has phosphorus produced for him pursuant to toll agreement.

(3) "Distributor" means any person who has purchased, or purchases, phosphorus for resale.

(b) *Restrictions on use and delivery of phosphorus.* (1) On and after October 1, 1942, no person shall, subject to the exemption provided for in paragraph (c) hereof, deliver or use any phosphorus without the specific authorization of the War Production Board upon application pursuant to paragraph (e) hereof, and no person shall accept delivery of any phosphorus which he knows or has reason to believe is made in violation of this order.

(2) Each person accepting delivery of phosphorus pursuant to specific authorization of the War Production Board shall use the same only for the purposes specified in such authorization.

(3) Each person affected by this order shall comply with such directions as may be given from time to time by the War Production Board with respect to the use or delivery of phosphorus.

(c) *Small order exemption.* The specific authorization provided for in paragraph (b) (1) hereof, shall not be required with respect to the following:

(1) Use by any person of 10,000 pounds or less of phosphorus during any one month.

(2) Delivery by any person of 10,000 pounds or less of phosphorus to any one persons during any one month, and the acceptance of delivery thereof by such person, subject to the following conditions:

(i) Each person desiring to make small order deliveries of phosphorus pursuant to this paragraph (c) (2) shall apply for authorization to make small order deliveries pursuant to paragraph (e) (2) (ii) hereof, and the aggregate amount of small order deliveries made by any such person during any month shall not exceed the amount of such deliveries which he is specifically authorized to make: *Provided, however,* That authorization to make small order deliveries pursuant to this paragraph (c) (2) (i)

shall not be required with respect to small order deliveries by any one person where the aggregate amount of such deliveries during any month does not exceed 10,000 pounds of phosphorus.

(ii) Each person seeking delivery of 10,000 pounds or less of phosphorus during any month shall file with his supplier at the time of placing his order therefor, a certificate to the effect that if the delivery covered by such order is made, the deliverer will not have received during the current month in excess of an aggregate of 10,000 pounds of phosphorus.

(d) *Production and establishment of inventories.* (1) Each producer shall comply with such directions as may be given from time to time by the War Production Board with respect to the production of phosphorus.

(2) Each person affected by this order shall comply with such directions as may be given from time to time by the War Production Board with respect to the establishment of inventories of phosphorus.

(3) Each person producing any primary product specifically named in paragraph (e) (1) (iii) hereof, regardless of whether produced directly from phosphorus or from any other material, shall comply with such directions as may be given from time to time by the War Production Board with respect to the production of any such primary product and with respect to the establishment of inventories thereof.

(e) *Applications and reports.* In addition to such other reports as may be required from time to time by the War Production Board:

(1) Each person seeking authorization to use or accept delivery of phosphorus shall apply therefor on Form WPB 2945 (formerly Form PD-600). Such applicant shall file with the War Production Board the original and two copies of such form on or before the 15th day of the month preceding the month for which such authorization is requested and shall file one copy of such form with his supplier on or before the 15th day of such month if the supplier is a producer or on or before the 10th day of such month if the supplier is a distributor, which form shall be prepared in the manner prescribed therein, subject to the following specific instructions:

(i) *Heading.* Specify "phosphorus" and order number "M-230", and specify pounds as the unit of measure, and in addition to specifying the delivery destination indicate the address to which communications should be directed.

(ii) *Columns 1, 11 and 19.* Specify "P", the chemical symbol for phosphorus.

(iii) *Columns 3, 20 and 22.* In the case of a distributor, specify "resale pursuant to further authorization". In the case of a consumer specify:

Red phosphorus.
Phosphoric anhydride.
Phosphorus trichloride.
Phosphorus pentachloride.
Phosphorus oxychloride.
Phosphorus sesquisulphide.
Phosphorus pentasulphide.
Phosphoric acid.
Mono ammonium phosphate.

¹ Formerly Part 3079, § 3079.1 (General Preference Order M-230).

Di ammonium phosphate.
Phosphor copper.
Mono calcium phosphate.
Di calcium phosphate.
Tri calcium phosphate.
Mono sodium phosphate.
Di sodium phosphate.
Tri sodium phosphate.
Tetra sodium pyrophosphate.
Sodium metaphosphate.
Sodium acid pyrophosphate.
Sodium tetrphosphate.
Other.

If "other" is specified, describe briefly.

(iv) *Column 4.* In the case of a distributor, disregard. In the case of a consumer, specify:

Lend-Lease.
Phosphate plasticizers.
Bomber plastics.
Mining flotation agents.
Bearing metals.
Rustproofing.
Petroleum catalysts.
Petroleum additives.
Sulfa drugs.
Conditioners (identify).
Dyestuffs.
Matches.
Activated carbon.
Household soaps.
Industrial soaps.
Food sanitation.
Pharmaceuticals (other than sulfa drugs & vitamins).
Yeast.
Oil well drilling.
U. S. Army specification number.
U. S. Navy specification number.
U. S. Army-Navy Aircraft specification number.
U. S. Maritime Commission specification number.
Chemical Warfare Service specification number.
Other (Identify) U. S. Government agency specification number.
Boiler water treatment.
Vitamins.
Textiles.
Household detergents.
Industrial detergents.
Fireproofing.
Acid leavening agents.
Sugar refining.
Gelatin.
Beverages.
Other.

If "other" is specified, describe briefly.

(2) Each producer and distributor seeking authorization to deliver phosphorus pursuant to paragraph (b) (1) hereof, shall apply therefor on Form WPB 2946 (formerly Form PD-601) Such applicant shall file with the War Production Board the original and two copies of such form on or before the 20th day of the month preceding the month for which such authorization is requested, which form shall be prepared in the manner prescribed therein, subject to the following specific instructions:

(i) *Heading.* Specify "phosphorus" and order number "M-230" and specify pounds as the unit of measure, and in addition to specifying the plant or warehouse address indicate the address to which communications should be directed.

(ii) *Column 1.* If authorization to make small order deliveries under paragraph (c) (2) (i) hereof is requested, insert "aggregate small order deliv-

eries" in Column 1 after completing the list of customers requiring in excess of 10,000 pounds of phosphorus and specify in Column 4 the aggregate amount of small order deliveries requested to be authorized.

(iii) *Columns 3 and 8.* Specify "phosphorus".

(f) *Notification of customers.* Producers and distributors shall, as soon as practicable, notify each of their regular customers of the requirements of this order, but failure to give such notice shall not excuse any such person from complying with the terms hereof.

(g) *Miscellaneous provisions—(1) Applicability of priorities regulations.* This order and all transactions affected hereby are subject to all applicable provisions of War Production Board Priorities Regulations, as amended from time to time.

(2) *Intra-company deliveries.* The prohibitions and restrictions of this order with respect to deliveries of phosphorus, shall apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division or section of a single enterprise to another branch, division or section of the same or any other enterprise under common ownership or control.

(3) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact, or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(4) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington 25, D. C. Ref.: M-230.

NOTE: The reporting provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 6th day of January 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-317; Filed, January 6, 1944;
11:23 a. m.]

PART 3293—CHEMICALS¹

[Allocation Order M-287 as Amended
Jan. 6, 1944]

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of anhydrous aluminum chloride for defense, for private account and for export; and the following order is deemed

necessary and appropriate in the public interest and to promote the national defense:

§ 3293.376¹ Allocation Order M-287—
(a) *Definitions.* (1) "Anhydrous aluminum chloride" means the chemical of that name, in any form.

(2) "Supplier" means any producer or distributor of anhydrous aluminum chloride.

(3) "Producer" means any person who produces anhydrous aluminum chloride.

(4) "Distributor" means any person who purchases anhydrous aluminum chloride for resale.

(b) *Restrictions on deliveries and use.*
(1) On and after March 15, 1943, no supplier shall deliver or use anhydrous aluminum chloride, and no person shall accept delivery of anhydrous aluminum chloride from a supplier, except as specifically authorized or directed by the War Production Board.

(2) Authorizations or directions with respect to deliveries to be made or accepted in each month beginning with April, 1943 (and with respect to use by supplier) will so far as practicable be issued by the War Production Board prior to the commencement of such month, but the War Production Board may at any time at its discretion and notwithstanding the provisions of paragraph (c) hereof, issue directions with respect to deliveries to be made or accepted. The War Production Board may also at any time issue directions with respect to the use or uses which may or may not be made by any person of anhydrous aluminum chloride to be delivered or then on hand, or with respect to the kinds of anhydrous aluminum chloride which a producer may manufacture.

(3) Each person specifically authorized to accept delivery of anhydrous aluminum chloride shall use such material for the purpose authorized, and only for such purpose, except as otherwise specifically directed by the War Production Board.

(4) Anhydrous aluminum chloride allocated for inventory shall not be used except as specifically directed by the War Production Board. Anhydrous aluminum chloride allocated to fill a specified order or class of orders shall, where and to the extent that such order or class of orders is for any reason not filled, revert to inventory.

(5) Each person who receives specific authorization to accept delivery of anhydrous aluminum chloride in any calendar month and who shall not prior to the first day of the next succeeding month have received delivery in full of the quantity so authorized, shall report such fact to the War Production Board not later than the 5th day of such succeeding month.

(6) Deliveries specifically authorized or directed to be made in any calendar month where the authorization or direction does not specify dates or order of shipment may be made without regard to preference ratings applicable to particular orders.

(c) *Exception to requirement for specific authorization.* (1) Notwithstanding

¹Formerly Part 8195, § 3195.1.

ing the provisions of paragraph (b) (1) hereof, specific authorization or direction of the War Production Board shall not be required for:

(i) The acceptance of delivery by any person, or use by any supplier, of not more than 600 lbs. of anhydrous aluminum chloride in the aggregate in any calendar month: *Provided*, That such person (or supplier) has not been specifically authorized to use or accept delivery of any quantity of anhydrous aluminum chloride during such month.

(ii) The delivery of anhydrous aluminum chloride by any supplier to any person who shall have filed with him a certificate in substantially the following form:

The undersigned purchaser hereby certifies to the War Production Board and to his supplier that the anhydrous aluminum chloride hereby ordered for delivery in _____ (month)

194____, does not, taken with all other anhydrous aluminum chloride delivered or to be delivered from all sources in such month, exceed 600 lbs., the amount which he is entitled to receive under paragraph (c) (1) of Allocation Order M-287.

Name of purchaser		
Date	By _____ Authorized official	Title

Provided, however, That no certificate shall be required respecting deliveries by any supplier to any person in any calendar month of not more than 10 lbs. Such certificate shall be signed by an authorized official, either manually or as provided in Priorities Regulation No. 7. The receipt of such certificate shall not authorize the delivery of anhydrous aluminum chloride by a supplier where he knows or has reason to believe the same to be false, but in the absence of such knowledge or reason to believe, he may rely on the certificate.

(2) No producer shall in any calendar month pursuant to paragraph (c) (1) deliver an aggregate amount of anhydrous aluminum chloride in excess of one per cent of the amount of anhydrous aluminum chloride which he is specifically authorized to deliver during such month.

(3) No supplier shall make deliveries during any calendar month pursuant to paragraph (c) (1) if such deliveries will prevent completion of any deliveries which have been specifically authorized for such month.

(d) *Applications and reports.* (1) Each person seeking authorization to accept delivery of (and each supplier seeking authorization to use) anhydrous aluminum chloride in any calendar month beginning with April, 1943, whether for own consumption or resale, shall file application on or before the 15th day of the preceding month. Where delivery or use is to be in March, 1943, such application shall be filed as many days as possible in advance of the requested acceptance of delivery or use.

No. 5—6

In each case, application shall be made on Form WPB-2945 (formerly PD-600, in the manner prescribed therein, subject to the following special instructions:

(i) Copies of Form WPB-2945 (formerly PD-600) may be obtained at local field offices of the War Production Board.

(ii) Five copies shall be prepared, of which one shall be forwarded to the supplier and three to the War Production Board, Chemicals Division, Washington 25, D. C., Ref: M-287, the fifth to be retained for your files.

(iii) In the heading, under name of chemical, specify anhydrous aluminum chloride; under WPB Order No., specify M-287; under name of company, specify name and mailing address; under unit of measure, specify pounds; and specify the month and year for which authorization for acceptance of delivery or use is sought.

(iv) In Columns 1, 11 and 19 specify grade in terms of the following: technical grade, chemically pure.

(v) In Columns 3, 20 and 22, specify your primary product in terms of the following:

Aviation gasoline
Refining aluminum metal
Synthetic rubber
Synthetic detergents
Toluene
Vat dyes
Nylon
Pharmaceuticals
Terpene resins
Lubricating oil additive
Lubricating oil refining
Catalyst for aviation gasoline, its components and raw materials
Other chemicals (specify)
Others (specify)
Resale (as anhydrous aluminum chloride)
Inventory (as anhydrous aluminum chloride)

(vi) In Column 4, specify ultimate use of product (where, for example, your primary product called for in Column 3 is "vat dyes", the ultimate use of product might be "overcoats"), and also specify in each case whether your customer is Army, Navy, other government agency, Lend-Lease, or commercial customer. Where the Form WPB 2945 (formerly PD-600) is an application for anhydrous aluminum chloride for resale or inventory (in each case as anhydrous aluminum chloride), leave Column 4 blank.

(2) Each supplier seeking authorization to make delivery of anhydrous aluminum chloride during any calendar month beginning with April, 1943, shall file application on or before the 20th day of the preceding month. The application shall be made on Form WPB-2946 (formerly PD-601) in the manner prescribed therein, subject to the following special instructions:

(i) Copies of Form WPB-2946 (formerly PD-601) may be obtained at local field offices of the War Production Board.

(ii) Prepare four copies and forward three certified copies to the War Production Board, Chemicals Division, Washington 25, D. C., Ref: M-287.

(iii) Suppliers who have filed application on Form WPB-2945 (formerly PD-600) specifying themselves as their suppliers, shall list their own names as customers on Form WPB-2946 (formerly PD-601) and shall list their request for allocation in the manner prescribed for other customers.

(iv) In the heading, under name of chemical, specify "anhydrous aluminum chloride";

under WPB Order No., specify "M-287"; under name of company, state name and mailing address; under unit of measure specify "pounds"; and state the month and year during which deliveries covered by your application are to be made.

(v) In Columns 3 and 8, specify grades as stated in customer's Form WPB-2945 (formerly PD-600)

(vi) The supplier may, if he wishes, leave Column 5 blank.

(vii) Names of customers to whom small order deliveries are to be made during the next calendar month pursuant to paragraph (c) (1) of this order need not be listed, but insert in Column 1 "Total small order deliveries (estimated)", and in Column 4, state the estimated quantity.

(viii) If it is necessary to use more than one sheet to list customers, number each sheet in order and show grand totals for all sheets on the last sheet, which is the only one that need be certified.

(3) The War Production Board may require each person affected by this order to file such other reports as may be prescribed, and may issue special directions to any such person with respect to preparing and filing (Forms WPB-2945 (formerly PD-600) and WPB-2946 (formerly PD-601)).

(e) *Notification of customers.* Each supplier shall notify his regular customers as soon as possible of the requirements of this order, but failure to receive such notice shall not excuse any person from complying with the terms hereof.

(f) *Miscellaneous provisions.* (1) *Applicability of regulations.* This order and all transactions affected hereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(2) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington 25, D. C. Ref: M-287.

NOTE: The reporting provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 6th day of January 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-318; Filed, January 6, 1944; 11:24 a. m.]

PART 3293—CHEMICALS¹

[Allocation Order M-291, as Amended Jan. 6, 1944]

POTASH

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of potash for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3293.386¹ *Allocation Order M-291—(a) Definitions.* (1) "Potash" means the following primary potash salts: muriate of potash, sulfate of potash, sulfate of potash-magnesia and run-of-mine potash.

(2) "Potassium oxide" (hereinafter referred to as "K₂O") means the highly caustic oxide of potassium. As such it does not exist commercially but is used as a standard unit of measure in determining the relative value of potash salts.

(3) "Muriate of potash" means the chloride salt of potassium. In commerce it is offered in two grades: muriate of potash containing 48 to 52 per cent K₂O, and high grade muriate of potash containing 58 to 62.7 per cent K₂O.

(4) "Sulfate of potash" means commercial potassium sulfate, a potash salt containing approximately 48 per cent or more K₂O, chiefly as sulfate. It does not include recrystallized salt.

(5) "Sulfate of potash-magnesia" means a potash and magnesia salt containing from approximately 18 to 25 per cent K₂O and 18 to 25 per cent sulfate of magnesia.

(6) "Run-of-mine potash" (also known as manure salts and kainit) means potash salts containing a high percentage of chlorides and containing more than 18 and less than 48 per cent K₂O.

(7) "Producer" means any person engaged in the production of potash and includes any person who has potash produced for him pursuant to toll agreement.

(8) "Distributor" means any person who, for his own account or as agent or broker for any producer, sells potash in any form. The term includes importers but does not include any manufacturer (including any fertilizer manufacturer) to the extent that he uses potash as one of his raw materials, any person who purchases potash exclusively for sale at retail, or any governmental agency which delivers fertilizers to farmers.

(9) "Supplier" means a producer or distributor.

(10) "Period" means one of the three periods specified in paragraphs (a) (11), (a) (12) and (a) (13).

(11) "Period One" means April 1, 1943 through May 31, 1943.

(12) "Period Two" means June 1, 1943 through March 31, 1944.

(13) "Period Three" means April 1, 1944 through May 31, 1944.

(b) *Restrictions on deliveries and use.*

(1) On and after April 1, 1943 no supplier shall deliver potash to any person, and no person shall accept delivery of potash from a supplier except as specifically authorized or directed by the War Production Board.

(2) Authorizations or directions with respect to quantities of potash which may be received in any period will be issued by the War Production Board as soon as possible after the receipt of the applications called for by paragraph (e) (1) hereof. Thereafter, after persons so authorized to receive potash have placed with producers or distributors their orders for potash within the totals provided in such authorizations and such producers and distributors have made application pursuant to paragraph (e) (3) to make delivery to such persons, the War Production Board will issue to each producer or distributor authorizations with respect to deliveries to be made.

The War Production Board may, however, at any time, at its discretion, and notwithstanding the provisions of paragraph (c) hereof, issue directions with respect to deliveries to be made or accepted or with respect to the use or uses which may or may not be made of potash to be delivered or then on hand. Insofar as authorizations or directions relate to the quantities of particular grades of mixed fertilizer to be manufactured from potash or to the quantity of potash to be made available for direct application to the soil, such authorizations or directions will so far as practicable be issued in conformity with needs for grades of mixed fertilizer or for potash as determined by the Director of Food Production of the Department of Agriculture.

(3) Each person specifically authorized to accept delivery of potash shall use such material for the purpose authorized and only for such purpose except as otherwise specifically directed by the War Production Board.

(c) *Exceptions to requirement for specific authorization.* Notwithstanding the provisions of paragraph (b) (1) hereof, specific authorization of the War Production Board shall not be required for:

(1) Acceptance of delivery by any person from all sources in any period of not more than 5 tons of potash for each month of such period, in terms of K₂O content;

(2) Delivery by any supplier in any period to any person who shall have furnished to such supplier a certificate in substantially the following form:

The undersigned hereby certifies that the potash hereby ordered to be delivered in Period _____ [Insert One, Two or Three] does not, taken with all other potash delivered or to be delivered from all sources in such period, exceed 5 tons for each month of such period, in terms of K₂O content.

Name of purchaser
By _____
Authorized official Title
Date _____

The above certificate shall constitute a representation to (but shall not be filed

with) the War Production Board. Such certificate shall be signed by an authorized official, either manually or as provided in Priorities Regulation No. 7. The receipt of such certificate shall not authorize the delivery of such potash by a supplier where he knows or has reason to believe the same to be false, but in the absence of such knowledge or reason to believe, he may rely on the certificate;

(3) Delivery by any supplier to any person in any period prior to the receipt of any specific authorization or direction of the War Production Board with respect to deliveries to be made in such period of not more than 20% of the quantity of any potash salt delivered by such supplier to such person during the corresponding period in the 12 months ending March 31, 1943. Any person delivering or receiving potash delivered in any period pursuant to this paragraph (c) (3) shall charge the amount so delivered or received against the amount which he is or may be specifically authorized or directed to deliver or receive in such period, and against any amount which may be delivered or received pursuant to paragraphs (c) (1) and (c) (2);

(4) Delivery by any supplier to any person, and acceptance of delivery by any person from any supplier, of any undelivered balance under any contract which provides for completion of delivery prior to April 1, 1943;

(5) Delivery by any supplier to any person, and acceptance of delivery by any person from any supplier, of any potash which such supplier has been directed by specific direction of the War Production Board to deliver to such person prior to May 1, 1943.

(d) *Transportation and storage directions.* For the purpose of conserving transportation and storage facilities, the War Production Board may issue directions to any person respecting deliveries or storage of potash which may or may not be made, and respecting form of transportation and shipping routes.

(e) *Applications and reports.* (1) Each person requiring authorization to accept delivery of potash in any period, whether for own consumption or resale, shall file application therefor on Form WPB-2945 (formerly PD-600) in the manner prescribed therein, subject to the following special instructions:

(i) Copies of Form WPB-2945 (formerly PD-600) may be obtained at local field offices of the War Production Board.

(ii) Four copies shall be prepared, of which three shall be filed with War Production Board, Chemicals Division, Washington 25, D. C., Ref: M-291, the fourth to be retained for applicant's files.

(iii) The date when such applications shall be filed with the War Production Board will be as follows:

(a) Where the application is for authorization to accept delivery of potash in Period One: on or before March 7, 1943.

(b) Where the application is for authorization to accept delivery of potash in Period Two: on or before May 1, 1943.

(c) Where the application is for authorization to accept delivery of potash in Period Three: on or before March 1, 1944.

(iv) In the heading, under "name of chemical" specify "Potash"; under "WPB Order No.", specify "M-291"; under heading

¹ Formerly Part 3204, § 3204.1.

"Indicate Unit of Measure", specify "Short Tons of Potash Salt" (not K_2O content). Do not specify supplier.

(v) In heading at top of Table I, specify "Period _____" [One, Two or Three], not month.

(vi) In Columns 1 and 11, specify particular potash salt as follows: muriate of potash, sulfate of potash, sulfate of potash-magnesia, run-of-mine potash, and also indicate in each case per cent of K_2O content.

(vii) In Column 2 indicate quantity in short tons of each salt requested (not K_2O content).

(viii) In Column 3, applicant will specify his primary product in terms of the following:

Fertilizers

Potassium bitartrate
Potassium carbonate
Potassium chlorate
Potassium cyanide
Potassium hydroxide
Potassium nitrate
Potassium perchlorate
Potassium permanganate
Potassium phosphates
Other chemical (specify)

Resale (as potash) subject to further authorization.

(ix) In Column 4 applicant will specify ultimate use of product (where, for example, the primary product called for in Column 3 is "Potassium carbonate" the ultimate use of product might be "optical glass"), and will also specify in each case whether his customer is Army, Navy, other government agency, Lend-Lease or commercial customer. Where the Form WPB-2945 (formerly PD-600) is an application for potash for resale (as potash) pursuant to further authorization, applicant will leave Column 4 blank. Where primary product called for in Column 3 is potassium chlorate or potassium perchlorate, specify "Order M-171" in Column 4 and omit further statement of use.

(x) Leave blank Columns 13 to 15c, inclusive.

(xi) In heading at top of Column 16 "Estimated stocks end current month", strike out "end current month" and insert "beginning period _____" [specify number of period to which application relates]. In Column 16, specify estimated amount of inventory of each potash salt listed in Column 11, including any amounts estimated to be undelivered as of the beginning of such period pursuant to the contracts or directions referred to in paragraphs (c) (4) and (c) (5).

(xii) Leave blank Tables III and IV in their entirety.

(2) On or before the 7th day following the commencement of each period, each person who has applied for authorization to accept delivery of potash during such period pursuant to paragraph (e) (1) hereof, shall file a single copy of Form WPB-2945 (formerly PD-600) with War Production Board, Chemicals Division, Washington 25, D. C., Ref: M-291, subject to the following special instructions:

(i) In the heading, under "name of chemical" specify "Potash"; under "WPB Order No.", specify "M-291"; under heading "Indicate Unit of Measure", specify "Short Tons of Potash Salt" (not K_2O content). Do not specify supplier.

(ii) Tables I, III and IV should be left blank in their entirety.

(iii) In Column 11 (Table II) specify particular potash salt as follows: muriate of potash, sulfate of potash, sulfate of potash-magnesia and run-of-mine potash, and in each case, per cent of K_2O content.

(iv) Leave blank Columns 13 to 15c, inclusive, and strike out heading at top of

Column 16 "Estimated stocks end current month", and substitute for that heading "Stocks beginning period _____"

[insert number of period in which report is filed]. In Column 16, specify amount of inventory of each potash salt listed in Column 11, including any amounts undelivered at the beginning of such period pursuant to the contracts or directions referred to in paragraphs (c) (4) and (c) (5).

(3) Each supplier seeking authorization to make delivery of potash during any period shall file application therefor on Form WPB-2946 (formerly PD-601) in the manner prescribed therein, subject to the following special instructions:

(i) Copies of Form WPB-2946 (formerly PD-601) may be obtained at local field offices of the War Production Board.

(ii) Four copies shall be prepared, of which three shall be filed with War Production Board, Chemicals Division, Washington 25, D. C., Ref: M-291, the fourth to be retained for supplier's files.

(iii) The date when such application shall be filed with the War Production Board will be as follows:

(a) Where the application relates to Period One: on or before April 7, 1943.

(b) Where the application relates to Period Two: on or before July 7, 1943.

(c) Where the application relates to Period Three: on or before April 7, 1944.

(iv) In the heading, under "name of chemical", specify "Potash"; under "WPB Order No.", specify "M-291"; in heading "This schedule is for deliveries to be made during the month of _____", substitute the word "period" for word "month", and indicate "One, Two, or Three", as the case may be; under heading "Indicate unit of measure", specify short tons of potash salt (not K_2O content).

(v) In Column 1 indicate the name of each customer to whom supplier proposes to make delivery of potash in the period to which application relates. If it is necessary to use more than one sheet to list customers, number each sheet in order and show grand totals for all sheets on the last sheet, which is the only one that need be certified. It is not necessary, however, to list the names of customers to whom, in such period, applicant proposes to make small order deliveries pursuant to paragraph (c) (1) and (c) (2) hereof, but applicant must specify in Column 1 "Total small order deliveries (estimated)" and in Column 4 must state the estimated quantity.

(vi) In Column 3 specify particular potash salt which applicant proposes to deliver as follows: muriate of potash, sulfate of potash, sulfate of potash-magnesia and run-of-mine potash, and in each case, the per cent of K_2O content.

(vii) Leave blank Columns 5 to 16, inclusive, except for any remarks considered pertinent, which may be listed in Column 7.

(4) The War Production Board may require each person affected by this order to file such other reports as may be prescribed, and may issue special directions to any such person with respect to preparing and filing Form WPB-2945 (formerly PD-600) and WPB-2946 (formerly PD-601).

(f) Miscellaneous provisions—(1) *Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of the War Production Board, as amended from time to time.

(2) *Notification of customers.* Producers shall as soon as practicable notify each of their regular customers of the

requirements of this order, but failure to give such notice shall not excuse any such person from complying with the terms hereof.

(3) *Intra-company deliveries.* The prohibitions and restrictions of this order with respect to deliveries of potash shall apply not only to deliveries to other persons, including affiliates and subsidiaries, but also to deliveries from one branch, division or section of a single enterprise to another branch, division or section of the same or any other enterprise under common ownership or control.

(4) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(5) *Appeals.* Any appeal from the provisions of this order shall be made by filing a letter in triplicate, referring to the particular provision appealed from and stating fully the grounds of the appeal.

(6) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed be addressed to: War Production Board, Chemicals Division, Washington 25, D. C. Ref: M-191.

NOTE: The reporting provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 6th day of January 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-319; Filed, January 6, 1944;
11:24 a. m.]

PART 3293—CHEMICALS¹

[Conservation Order M-304 as Amended Jan. 6, 1944]

ADIPIC ACID AND DERIVATIVES

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of adipic acid and its derivatives for defense, for private account and for export; and the following order is deemed necessary and appropriate for the public interest and to promote the national defense:

§ 3293.406¹ *Conservation Order M-304—(a) Definitions.* (1) "Adipic acid" means adipic acid in any form and from whatever source derived.

(2) "Derivative" means any chemical compound other than "Nylon" derived from adipic acid, including but not limited to diisobutyl adipate.

¹ Formerly Part 3237, § 3237.1.

(3) "Producer" means any person who produces adipic acid, whether for his own account or for another person pursuant to toll agreement.

(b) *Restrictions on use and delivery.* (1) No producer shall use or deliver adipic acid or its derivatives, and no person shall accept delivery of adipic acid or its derivatives from a producer, except:

(i) For the manufacture of "Nylon"; or
(ii) In ten pound quantities per month as provided in paragraph (d); or

NOTE: Paragraph (iii), formerly (ii), redesignated Jan. 6, 1944.

(iii) As specifically authorized by the War Production Board upon application pursuant to paragraph (c).

(2) Each person authorized to accept delivery of adipic acid or its derivatives shall use such material for the purpose authorized, except as otherwise specifically directed by the War Production Board.

(3) The War Production Board, at its discretion, may at any time issue special directions to any person with respect to the use, delivery or production of adipic acid or its derivatives, or of products made from adipic acid or its derivatives allocated to such person.

(c) *Applications and reports.* (1) Each person seeking authorization to accept delivery of, and each producer seeking authorization to use, adipic acid or any of its derivatives, for a purpose other than the manufacture of "Nylon", shall file application on Form WPB-2945 (formerly PD-600) in the manner prescribed therein, subject to the following instructions for the purpose of this order:

Form WPB-2945 (formerly PD-600) Copies of Form WPB-2945 (formerly PD-600) may be obtained at local field offices of the War Production Board.

Number of copies. If the applicant is seeking delivery of adipic acid or any of its derivatives from a producer he shall prepare a set of five copies, retaining one and forwarding four certified copies to the War Production Board. One such copy may have Tables II, III and IV blank and this will be the copy mailed by the War Production Board to the producer.

If the applicant is a producer seeking authorization to use his own stock of adipic acid or any of its derivatives, he shall prepare a set of four copies, retaining one and forwarding three certified copies to the War Production Board.

Heading. Under name of chemical, specify adipic acid or the particular derivative sought; under War Production Board order number, specify M-304; specify pounds as unit of measure; and otherwise fill in as indicated.

Table I. Fill in as indicated, leaving Column 1 blank. In Column 3 specify product to be manufactured from the material requested, and in Column 4 specify the end use of the primary product.

Also explain fully in Column 4 why the material sought is essential to the manufacture of the primary product, what attempt at substitution has been made, and how much longer the material sought will be required in such manufacture.

Tables II, III and IV. Fill in as indicated, leaving Column 11 blank.

(2) Receipt by a producer from the War Production Board of a copy of Form PD-600 signed by the Executive Secretary or Recording Secretary, shall constitute authorization for the purpose of this order to make the deliveries called for by the form.

(3) The War Production Board may require each person affected by this order to file such other reports as may be prescribed, and may issue special directions to any such person with respect to preparing and filing Form WPB-2945 (formerly PD-600).

(d) *Small order exemption.* Specific authorization of the War Production Board shall not be required for:

(1) Use by a producer of ten pounds or less of adipic acid or its derivatives for any purpose during any calendar month;

(2) Delivery of ten pounds or less of adipic acid or its derivatives by a producer to any customer in any calendar month and the acceptance of such delivery for any purpose.

NOTE: Paragraph (e), formerly (d), redesignated Jan. 6, 1944.

(e) *Miscellaneous provisions.*—(1) *Applicability of priorities regulations.* This order and all transactions affected hereby are subject to all applicable provisions of War Production Board Priorities Regulations, as amended from time to time.

(2) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Previous directives.* This order supersedes and cancels previous directives with respect to adipic acid and its derivatives, but does not alter or modify previous special directives with respect to "Nylon".

(4) *Communications.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington 25, D. C.; Ref: M-304.

Issued this 6th day of January 1944.

WAR PRODUCTION BOARD,

By J. JOSEPH WHELAN,

Recording Secretary.

[F. R. Doc. 44-320; Filed, January 6, 1944; 11:24 a. m.]

PART 3293—CHEMICALS

[Allocation Order M-340 as Amended Jan. 6, 1944]

MISCELLANEOUS CHEMICALS

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of the chemicals subject to this order for defense, for private account and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3293.491 *Allocation Order M-340*—(a) *Definitions.* (1) "Subject chemical" means any chemical listed in Appendix A, as therein defined.

(2) "Producer" means any person engaged in the production of any subject chemical and includes a person who imports any subject chemical or has it produced for him pursuant to toll agreement.

(3) "Distributor" means any person who buys any subject chemical for the purpose of resale without further processing and without changing the form thereof.

(4) "Supplier" means a producer or distributor.

(b) *Restrictions on deliveries.* (1) On and after the applicable effective date stated in Appendix A, no supplier shall deliver a subject chemical to any person except as specifically authorized or directed in writing by War Production Board. No person shall accept delivery of a subject chemical which he knows or has reason to believe is delivered in violation of this order.

(2) Authorizations or directions as to deliveries to be made by suppliers in each calendar month will generally be issued by War Production Board prior to the beginning of such month, but may be issued at any time. They will normally be issued on Form WPB-2947 (formerly PD-602) which is to be filed by the supplier with War Production Board as explained in paragraph (g) below.

(3) If a supplier is authorized or directed by War Production Board to deliver a subject chemical to any specific customer or group of customers, but is unable to make the delivery either because of receipt of notice of cancellation or otherwise, the subject chemical shall revert to inventory, and shall not be delivered, or used, without further instructions.

(c) *Exceptions for small deliveries.* (1) Specific authorization in writing of War Production Board is not required for delivery by any supplier to any person in any calendar month of a subject chemical in a quantity not exceeding the quantity stated in Column 3 of Appendix B.

(2) The aggregate quantity of a subject chemical which any supplier may deliver in any calendar month pursuant to paragraph (c) (1), shall not exceed:

(i) The quantity which he has been specifically authorized, upon application pursuant to Appendix D, to deliver on small orders; or

(ii) If he is a distributor, the quantity which he acquired upon certification that it was required to fill small orders or the quantity which he acquired himself on such a small order; or

(iii) If he is a distributor who customarily delivers exclusively on small orders, any quantity.

(d) *Exceptions for deliveries for other reasons.* Specific authorization in writing of War Production Board is not required for delivery of a subject chemical by any supplier to any other person for a purpose stated in Column 4 of Appendix B.

(e) *Restrictions on use.* (1) On and after the applicable effective date stated in Appendix A, no supplier shall use a subject chemical except as specifically authorized or directed in writing by War Production Board.

(2) Each person who with an order for a subject chemical furnishes a certificate required by paragraph (f) shall use the subject chemical delivered on such order only as specified on such certificate except as otherwise specifically authorized or directed in writing by War Production Board.

(3) War Production Board may from time to time issue directions with respect to the use or uses which may or may not be made of a subject chemical to be delivered to, or then in inventory of, the prospective user.

(f) *Supplier to obtain from customer a certificate of use.* No supplier shall in any calendar month (beginning in the case of each subject chemical with the calendar month in which the order becomes effective as to that chemical as stated in Appendix A) deliver to any person a greater quantity of such subject chemical than is stated in Column 3 of Appendix B, unless he shall have received from such person a certificate as to the use for which such person is ordering such subject chemical. Such certificate must be received by the supplier not later than the 15th day of the month preceding the month in which delivery is to be made. It need not be filed with War Production Board. A supplier must not deliver a subject chemical where he knows or has reason to believe the purchaser's certificate is false, but in the absence of such knowledge or reason to believe, he may rely on the certificate.

(g) *Applications by suppliers for leave to deliver or use.* (1) Each supplier requiring authorization to make delivery of, or to use, a subject chemical during any calendar month shall file application on or before the 20th day of the preceding month. The application should be made on Form WPB-2947 (formerly

PD-602) in the manner set forth in the general instructions appearing on that form, subject to the special instructions contained in Appendix D. If there is an inconsistency between the general and special instructions, the special instructions must be followed.

(2) War Production Board may issue to any supplier other and further directions with respect to preparing and filing Form WPB-2947 (formerly PD-602).

(h) *Miscellaneous provisions—(1) Applicability of regulations.* This order and all transactions affected thereby are subject to all applicable regulations of War Production Board, as amended from time to time.

(2) *Violations.* Any person who willfully violates any provision of this order, or who, in connection with this order willfully conceals a material fact or furnishes false information to any department or agency of the United States is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further deliveries of, or from processing or using, material under priority control and may be deprived of priorities assistance.

(3) *Communications to War Production Board.* All reports required to be filed hereunder, and all communications concerning this order, shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington 25, D. C. Ref: M-340.

Issued this 6th day of January 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX A

Chemicals subject to this order. (1) "Acetaldehyde" means the chemical known by that name and by the names aldol, beta hydroxy butyric aldehyde, oxybutanol, 3-hydroxy butanol.

Effective date—August 1, 1943. Comes in the following grades: no grades.

(2) "ST-115" means the preparation known by that trade name, as defined and specified in Appendix to Regulation No. 3 (1942 Revision) of the Bureau of Internal Revenue.

Effective date—August 1, 1943. Comes in the following grades: no grades.

(3) "Dehydrol-O" means the chemical known by that trade name as defined and specified in Appendix to Regulations No. 3 (1942 Revision) of the Bureau of Internal Revenue.

Effective date—August 1, 1943. Comes in the following grades: no grades.

(4) "G. C.-78" means the chemical known by that trade name.

Effective date—August 1, 1943. Comes in the following grades: no grades.

(5) "By-product—phosphoric acid" means phosphoric acid obtained as a by-product in the manufacture of methyl methacrylate.

Effective date—September 1, 1943. Comes in the following grades: no grades.

(6) "Oxidized petrolatum" means high paraffinic petrolatum oxidized and processed to contain aliphatic ketones, and which is suitable for use as a base in the manufacture of rust preventive compounds or corrosion inhibitors meeting specification Nos. AXS-673, 52-C-18 and AN-C-52, such as those petrolatums known by the trade marks Par-Al-Ketone, Alox 707, Alox 701 and Alox 600.

Effective date—October 9, 1943. Comes in the following grades: no grades.

(7) "Vinsol" resin and "Truline" binder means the resins known by those registered trade marks or any similar resin obtained from the oleo-resin of pine wood and having the following properties:

Maximum solubility in petroleum naphtha 20%; complete solubility in lower alcohols; toluene insoluble 10 to 30 per cent; methoxy content 4 to 6 per cent; acid number 90 to 110; softening point (ASTM ball and ring method) 103° to 118° Centigrade.

Effective date—October 9, 1943. Comes in the following grades: no grades.

(8) "Methyl abietate" means the chemical known by that name and by the trade mark "Abalyn".

Effective date—October 9, 1943. Comes in the following grades: no grades.

(9) "Hydrogenated methyl abietate" means the chemical known by that name and by the trade mark "Hercolyn".

Effective date—October 9, 1943. Comes in the following grades: no grades.

(10) [Deleted Oct. 22, 1943.]

(11) "DDT" means the chemical 2, 2-bis (para chlorophenyl) 1, 1, 1-tri-chloroethane, and is also known by the trade name "Neocid".

Effective date—January 1, 1944. Comes in the following grades: no grades.

APPENDIX B

NOTE: Items (8) and (9) amended Jan. 6, 1944.

1	2	3	4
Name of chemical	Unit of measure	Maximum quantity deliverable to any one person in any calendar month without specific authorization, and without certificate required by paragraph (f).	Purpose for which delivery may be made without specific authorization, regardless of quantity. (See par. (d).)
(1) Acetaldehyde...	Gallon..	54 gallons.....	None.
(2) ST-115.....	Gallon..	54 gallons.....	None.
(3) Dehydrol-O..	Gallon..	54 gallons.....	None.
(4) G. C.-78.....	Gallon..	54 gallons.....	None.
(5) By-product phosphoric acid.....	Ton.....	5 Tons.....	None.
(6) Oxidized petrolatum.....	Pound..	25 pounds.....	None.
(7) Vinsol resins.....	Pound..	500 pounds.....	None.
(8) Methyl abietate.....	Pound..	5000 pounds.....	None.
(9) Hydrogenated methyl abietate.....	Pound..	5000 pounds.....	None.
(10) Deleted Oct. 22, 1943.			
(11) DDT.....	Pound..	1 pound.....	None.

APPENDIX C—CUSTOMER'S CERTIFICATE OF INTENDED USE

The undersigned purchaser hereby certifies to War Production Board and to his supplier, pursuant to Order No. M-340, that the _____ (specify subject chemical) ordered for delivery in _____, 194____, _____ Month

will be used by him for the manufacture or preparation of the following product(s), and that such product(s), on the basis of order(s) filed with the undersigned, will be put to the following end use(s):

	Quantity	Primary product	End use
(A) _____	_____	_____	_____
(B) _____	_____	_____	_____

Name of purchaser

By _____
Date _____ Duly authorized official Title _____

Instructions for customer's certificate.
(1) The certificate shall be signed by an authorized official of the purchaser, either manually or as provided in Priorities Regulation No. 7.

(2) Where a purchaser wishes to receive more than the exempted quantity of each of two or more subject chemicals, a separate certificate shall be obtained as to each.

(3) The purchaser will specify under "Primary product", the exact product or products in the manufacture or preparation of which the subject chemical will be used or incorporated. A distributor ordering the subject chemical for resale as such will specify "resale" or, if ordering exclusively for resale on exempt small orders, will specify "small orders of _____ or less" (specify quantity stated in Column 3 of Appendix B). If purchase is for inventory, state "inventory".

(4) Under "End use", purchaser will specify the ultimate or end use to which the primary product will be put. He will also indicate whether civilian, Lend-Lease, other export or military, and if the product is for uses falling in two or more such categories, the percentage falling in each. Also, he will give contract numbers in the case of military use or Lend-Lease, and in the case of export, export license numbers. A distributor ordering the subject chemical for resale as such will leave blank the "End Use" column.

APPENDIX D—SPECIAL INSTRUCTIONS FOR SUPPLIER'S FORM WPB-2947 (FORMERLY PD-602)

(1) *Obtaining forms.* Copies of Form WPB-2947 (formerly Form PD-602) may be obtained at local field offices of the War Production Board.

(2) *Number of copies.* Prepare an original and three copies. File original and two copies with War Production Board, Chemicals Division, Washington 25, D. C., Ref.: M-340, retaining the third copy for your files. The original filed with the War Production Board shall be manually signed by a duly authorized official.

(3) *Separate set for each chemical.* Where the supplier's application relates to deliveries of two or more subject chemicals, he will file a separate set of Form WPB-2947 (formerly Form PD-602) for each.

(4) *Information at top of form.* In the heading, under "Name of Material", specify

the subject chemical to which the Form WPB-2947 (formerly Form PD-602) relates; under "Grade", specify grade stated in Appendix A, or if no grade specified, leave blank; under "WPB Order No.", specify "M-340"; indicate month and year during which deliveries covered by the application are to be made; under "Unit of Measure", specify unit of measure stated in Column 2 to Appendix B; under name of company, specify your name and the address of the plant or warehouse from which shipment will be made.

(5) *Listing of customers.* In Column 1 (except for small orders as explained in (7) below) list the name of each customer from whom an order for delivery of the subject chemical during the applicable month has been received. If it is necessary to use more than one sheet to list customers, number each sheet in order and show the grand total on last sheet which is the only one that need be certified.

(6) *Primary product and end use.* In Column 1-a (except for small orders as explained in (7) below), specify the product or products in the manufacture or preparation of which the subject chemical will be used by your customer, the end use to which such product or products will be put, and military or Lend-Lease contract numbers, and export license numbers, all as indicated by the certificate obtained under paragraph (1) of this order. The quantity of the subject chemical used in the manufacture or preparation of each primary product for each product use shall be shown separately. If the subject chemical ordered by a customer is for two or more uses, indicate each use separately and indicate the quantity of the subject chemical ordered for each use.

(7) *Small orders.* The supplier need not list the name of any customer to whom he is to deliver in the applicable month a quantity of the subject chemical not exceeding the maximum quantity (indicated in Column 3 of Appendix B) which he is permitted to deliver to any one person in any calendar month without specific authorization. Also, in the case of any such delivery, he need not show the name of the product or the end use. Instead, he must write in Column 1 "Total small order deliveries (estimated)" and in Column 4, must specify the total estimated quantity of the subject chemical to be delivered on such orders.

(8) *Use by producers.* A producer requiring permission to use a part or all of his own production of the subject chemical shall list his own name as customer in Column 1 on Form WPB-2947 (formerly Form PD-602) specifying quantity required and product manufactured. Written approval of War Production Board on such Form WPB-2947 (formerly Form PD-602) shall constitute authority to the producer to use the subject chemical in the quantity and for the purposes indicated in such approved form.

(9) *Table II.* Each producer will report production, deliveries and stocks as required by Table II, Columns 9 to 16, inclusive. Distributors will fill out only Columns 10, 12 and 13. Producers and distributors will show in Column 8 Grade, as stated in Appendix A, or if no Grade is there specified, will leave Column 8 blank.

[F. R. Doc. 44-321; Filed, January 6, 1944; 11:24 a. m.]

PART 3293—CHEMICALS

[Allocation Order M-366]

CYANIDE

The fulfillment of requirements for the defense of the United States has created a shortage in the supply of cyanide for defense, for private account, and for export; and the following order is deemed necessary and appropriate in the public interest and to promote the national defense:

§ 3293.581 Allocation Order M-366—

(a) *Definitions.* For the purpose of this order:

(1) "Cyanide" means all grades and mixtures of sodium cyanide and solutions of sodium cyanide which contain 20% or more cyanide by weight.

(2) "Supplier" means any person who produces cyanide or who purchases cyanide for resale as such.

(b) *Restrictions on delivery.* On and after February 1, 1944, no supplier shall deliver cyanide, except as specifically authorized in writing by the War Production Board, upon application pursuant to Appendix A.

(c) *Restrictions on acceptance of delivery.* On and after February 1, 1944, no person shall accept delivery of cyanide from a supplier, except as specifically authorized in writing by the War Production Board, upon application pursuant to Appendix B.

(d) *Restrictions on use.* (1) Each person specifically authorized to accept delivery of cyanide shall use such cyanide only for the purpose authorized, unless otherwise specifically directed by the War Production Board.

(2) On and after February 1, 1944, no supplier shall use more than 1000 pounds of cyanide (computed on 96% basis) during any calendar month except as specifically authorized in writing by the War Production Board, upon application pursuant to Appendix B.

(e) *Small order exemption.* (1) Any person may accept delivery of 1000 pounds or less of cyanide (computed on 96% basis) in the aggregate from all suppliers in any calendar month without restriction under this order, if acceptance of such delivery will not cause his inventory to exceed 200 pounds (computed on 96% basis) or a 45-day supply, whichever is greater.

(2) A supplier may fill small orders for 1000 pounds (computed on 96% basis) or less of cyanide, if he delivers not more than this quantity to any customer in any calendar month, and if the total amount delivered on all small orders does not exceed the following:

(i) The amount he has been specifically authorized, upon application pursuant to Appendix A, to deliver on small orders;

(ii) The amount which he has been specifically authorized, upon application pursuant to Appendix B, to accept delivery of, or to use, to fill small orders;

(iii) The amount which he himself acquired on small orders and has not used for other purposes;

(iv) The amount which he had in stock on February 1, 1944, if he delivers exclusively on exempt small orders.

(f) *Special directions.* The War Production Board, at its discretion, may at any time issue special directions to any person with respect to: (1) use, delivery or acceptance of delivery of cyanide; or (2) preparation and filing of application forms required by Appendices A and B, subject to approval of the Bureau of the Budget when required by the Federal Reports Act of 1942.

(g) *Duration of authorization for delivery.* If it is not practicable for a supplier to make all deliveries in the month for which authorized, he may complete them as early as practicable in the next month, but the purchaser must place his purchase order before the end of the authorized month and may not require postponement of delivery beyond 10 days after the authorized month.

(h) *Duration of authorization for use.* Each person specifically authorized to accept delivery of cyanide upon application under Appendix B shall use the cyanide for that use within 45 days after receipt of the authorization or of the cyanide allocated for the use, whichever is later. What is not used in this period shall not be used for any purpose until further authorized for use from inventory.

(i) *Notification of customers.* Each supplier is requested to notify his regular customers as soon as possible of this order, but failure to receive such notice shall not excuse any person from complying with the terms hereof.

(j) *Miscellaneous provisions—(1) Applicability of regulations.* This order and all transactions affected hereby are subject to all applicable War Production Board regulations, as amended from time to time.

(2) *Orders M-164 and M-165.* On and after February 1, 1944, cyanide shall not be subject to the provisions of synthetic ammonia General Preference Order M-164 (§ 3293.206, formerly § 1264.1) or of cyanamid General Preference Order M-165 (§ 3293.211, formerly § 1265.1).

(3) *Violations.* Any person who willfully violates any provision of this order,

or who, in connection with this order, wilfully conceals a material fact, or furnishes false information to any department or agency of the United States, is guilty of a crime, and upon conviction may be punished by fine or imprisonment. In addition, any such person may be prohibited from making or obtaining further delivery of, or from processing or using, material under priority control, and may be deprived of priorities assistance.

(4) *Communications to the War Production Board.* All reports required to be filed hereunder and all communications concerning this order shall, unless otherwise directed, be addressed to: War Production Board, Chemicals Division, Washington 25, D. C., Reference M-366.

NOTE: Forms WPB-2945 and 2946, and the instructions in Appendices A and B, have been approved by the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Issued this 6th day of January 1944.

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

APPENDIX A—INSTRUCTIONS FOR FILING APPLICATION TO DELIVER CYANIDE

Each supplier seeking authorization to deliver cyanide shall file application on Form WPB-2946 (formerly PD-601), in the manner prescribed therein, subject to the following instructions for the purpose of this order: Form WPB-2946 (formerly PD-601). Copies may be obtained at local field offices of the War Production Board.

Time. Application shall be filed or mailed in time to reach the War Production Board on or before the 20th day of the month preceding request for delivery.

Number of copies. Four copies shall be prepared, of which one shall be retained by the applicant and three copies (one certified) shall be forwarded to the War Production Board, Chemicals Division, Washington 25, D. C., Reference M-366.

Number of sets. A consolidated set of forms may be filed for all plants and warehouses of the applicant.

Heading. Under name of chemical, specify sodium cyanide; under War Production Board order number, specify M-366; specify allocation month; under unit of measure, specify pounds (specify basis—96% basis preferred); and otherwise fill in as indicated.

An aggregate estimated minimum quantity may be requested for exempt small order deliveries without listing customers' names.

Table I. Fill in Columns 1, 2, 3 and 4 as indicated. Leave Columns 5 and 5a blank. File a consolidated report for all shipping points.

Table II. Producers are to fill in as indicated for each cyanide produced. Resellers shall fill in Columns 8, 10, 12 and 13. Leave Columns 15 and 16 blank.

APPENDIX B—INSTRUCTIONS FOR FILING APPLICATION FOR AUTHORIZATION TO ACCEPT DELIVERY OR USE CYANIDE

Each person seeking authorization to use or accept delivery of cyanide, shall file application on Form WPB-2945 (formerly PD-600) in the manner prescribed therein, subject to the following instructions for the purpose of this order.

Form WPB-2945 (formerly PD-600). Copies may be obtained at local field offices of the War Production Board.

Time. Application shall be filed or mailed in time to reach the War Production Board on or before the 15th day of the month preceding the request for allocation.

Number of copies. Four copies shall be prepared, of which one shall be retained by the applicant and three copies (one certified) shall be forwarded to the War Production Board, Chemicals Division, Washington 25, D. C., Ref: M-366. Do not send a copy to your supplier, but submit your order to your supplier in time to be included on the supplier's application form.

Heading. Under name of chemical, specify sodium cyanide; under War Production Board order number, specify M-366; under unit of measure, specify pounds (specify basis—96% preferred); and otherwise fill in as indicated.

Table I. Specify in the heading the month and year for which authorization for acceptance of delivery or use is sought.

Column 1. Specify the grade, mixtures or amount of delivery or use is sought.

Column 2. Specify pounds requested for each primary production and product end use specified in Columns 3 and 4 of the application. Do not request quantities in excess of actual requirements for the month for which allocation is requested.

Column 3. Fill in as follows:

Barbiturates.	Flotation reagents.
Plating.	Other (specify).
Case hardening.	Export (as cyanide).
Zinc mining.	Resale (as cyanide).

Column 4. Opposite each primary product in Column 3, specify in Column 4 the end use briefly and accurately, indicating as far as possible whether for direct or for indirect Army, Navy or Lend-Lease orders. (Do not specify contract numbers.)

Opposite "Resale" in Column 3, write in Column 4 "subject to further authorization" or for "exempt small orders". Suppliers who resell in both large and small quantities shall request a total quantity for authorized resale and shall apply under Appendix A for small order deliveries.

Opposite "Export" in Column 3, specify in Column 4, the country of destination and the export license numbers unless Lend Lease, in which case merely specify "Lend Lease".

Columns 9 and 10. Leave blank.

Table II. Fill in as indicated for each cyanide referred to in Table I, Column 1 of the application.

Table III. Fill in as indicated.

Tables IV and V. Leave blank.

[F. R. Doc. 44-314; Filed, January 6, 1944; 11:25 a. m.]

Chapter XI—Office of Price Administration

PART 1351—FOOD AND FOOD PRODUCTS

[RMFR 279, Amdt. 2]

HOPS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 279 is amended in the following respects:

1. Section 2 (b) (2) is amended by adding the following sentence:

(2) * * * Notwithstanding the foregoing provisions of this subparagraph (2), any person who paid assessments to the Hop Control Board as a grower dealer during the calendar year 1942 shall be deemed to be a grower dealer for the purposes of this regulation. The Hop Control Board is a board established by and functioning under Federal Hop Marketing Agreement 100 and Order 63, regulating the handling of hops grown in the States of Oregon, California, Washington, and Idaho.

2. In section (2) (c) the figure "10 per cent" is amended to read "30 per cent."

This amendment shall become effective January 11, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4651)

Issued this 5th day of January 1944.

CHESTER BOWLES,
Administrator.

Approved: December 24, 1943.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-224; Filed, January 5, 1944;
12:01 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C, Amdt. 93]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Ration Order 5C is amended in the following respects:

1. Section 1394.8105 (a) (1) is amended to read as follows:

(1) Whenever a person violates any provision of Ration Order No. 1A or Ration Order No. 5C, or whenever any other person using a motor vehicle on his behalf or at his direction or with his consent, violates any provision of Ration Order No. 1A or Ration Order No. 5C, any Board after hearing may, in its discretion, revoke and suspend his rations

in whole or in part (and in such a case require the surrender to it of coupons, coupon books or other ration evidences and any folder outstanding in connection therewith and prohibit him from using any gasoline which is a part of any ration which is revoked or suspended by such order) and deny him a ration or rations, in whole or in part, for such period as it may deem appropriate in the public interest. The Board may designate one or more of its members to perform the function described in this paragraph.

2. In § 1394.8105 (a) (2) (i) the second sentence is amended to read as follows:

If the respondent admits the charge or fails to appear at the hearing, or if the Board determines after hearing that a violation of a provision of Ration Order No. 1A or Ration Order No. 5C described in such notice has been committed by the respondent, or by a person using a motor vehicle on his behalf or at his direction or with his consent, the Board may by order revoke, and suspend for a period which shall be stated therein, the rations issued to the respondent in whole or in part (and in such a case, by its order, direct him to surrender to it the coupons, coupon books or other ration evidences issued to him and any folder outstanding in connection therewith to the extent required to make such revocation effective, and prohibit the respondent from using any gasoline which is a part of any ration which is revoked or suspended by such order) and the Board may, by order, deny him a ration or rations, in whole or in part, for such period as it may deem appropriate in public interest.

3. In § 1394.8211 the present text is redesignated paragraph (a) and a new paragraph (b) is added to read as follows:

(b) No person shall alter the name on any coupon sheet (Form OPA R-120), to which any ration evidence has been attached or mutilate any such sheet; and no person shall detach or remove any coupons from a coupon sheet, or attach to a coupon sheet any coupons which have been removed or detached from another coupon sheet. A person who inadvertently attaches coupons to a sheet to which they should not be attached, or who inadvertently mutilates or spoils a coupon sheet to which any coupons have been attached, shall take the coupon sheet to a Board. The Board shall issue to him inventory coupons if the sheet is presented by a dealer, or a gasoline deposit certificate if the sheet is presented by a distributor, equal in gallonage value to the gallonage value of any coupons on the sheet submitted which were not acquired in violation of any provision of Ration Order No. 5C.

This amendment shall become effective January 10, 1944.

(Pub. Law 671, 76th Cong.; as amended by Pub. Laws 89, 421 and 507, 77th Cong.;

W.P.B. Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

Issued this 5th day of January 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-225; Filed, January 5, 1944;
12:01 p. m.]

PART 1432—RATIONING OF CONSUMERS' DURABLE GOODS

[RO 9A, Amdt. 6 to Supp. 1.]

STOVES

Supplement 1 to Ration Order 9A is amended in the following respect:

The first sentence in § 1432.69 (b) (1) is amended to read as follows:

Any dealer or distributor to whom an allowable inventory has been granted may apply to his Board for an increase in his allowable inventory for coal or wood heating stoves.

This amendment shall become effective January 10, 1944.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421, 507 and 729, 77th Cong.; E.O. 9125, 7 F.R. 2719; WPB Dir. 1, 7 F.R. 562, and Supp. Dir. 1-S, 8 F.R. 6018)

Issued this 5th day of January 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-226; Filed, January 5, 1944;
12:01 p. m.]

PART 1345—COKE

[MPR 77, Amdt. 2]

BEEHIVE OVEN COKE

A statement of the considerations involved in the issuance of this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 9 (b) (2) is amended to read as follows:

(2) A producer or distributor of beehive oven coke, other than beehive oven furnace coke, made in the Connellsville District, may add a sum not to exceed \$1.25 per net ton for hand-drawn coke or \$1.00 per net ton for machine-drawn coke.

This amendment shall be effective as of November 29, 1943.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 4th day of January 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-173; Filed, January 4, 1944;
3:38 p. m.]

* 8 F.R. 13204, 14620, 15454, 15609, 15717.
* 8 F.R. 16787.

*Copies may be obtained from the Office of Price Administration.

* 8 F.R. 11586, 12443.

* 8 F.R. 15937, 16250, 16421.

PART 1390—MACHINERY AND TRANSPORTATION EQUIPMENT

[MPR 465,¹ Amdt. 1]

USED PRESSURE VESSELS AND USED ENCLOSED ATMOSPHERIC PRESSURE VESSELS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 8 (c) (5) is added to read as follows:

(5) (i) The actual cost in excess of \$100 of installing the used vessel being sold at the present location where (a) the vessel is installed underground at the time of sale, and (b) the vessel is purchased for use in its present location. This actual cost of installation shall be depreciated at the rate of 5% per year on the straight-line method. The period of time from the date from which the present installation was made to the date of sale shall be used to determine the amount of depreciation. In measuring that period of time, a fractional period of a month, consisting of 16 days or more, shall be regarded as a full month and a fractional period of a month consisting of 15 days or less shall be disregarded.

(ii) When the seller makes the addition permitted by this subparagraph, he shall file a report with the Office of Price Administration within 10 days after he sells the used vessel. This report shall state:

(a) The date the vessel was installed in the present setting and the location of the present setting.

(b) The cost of installing the vessel being sold in the present setting.

(c) A calculation showing that the amount added to the maximum price for installation was computed in accordance with this subparagraph (5).

This amendment shall become effective January 11, 1944.

NOTE: The reporting requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 5th day of January 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-276; Filed, January 5, 1944;
4:44 p. m.]

PART 1340—FUEL

[RPS 88,² Amdt. 152]

PETROLEUM AND PETROLEUM PRODUCTS

A statement of the considerations involved in the issuance of this amend-

*Copies may be obtained from the Office of Price Administration.

¹ 8 F.R. 12625.

² 8 F.R. 3718.

No. 5—7

ment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1340.159 (c) (3) (xxxix) is added to read as follows:

(xxxix) *Minneapolis and St. Paul, Minnesota—range oil.* The maximum tankwagon prices for range oil, stove oil or heater oil for the bulk plant points of Minneapolis and St. Paul, Minnesota, and the circuit points and rural territories served from such plant or plants shall be as follows:

	Cents per gallon
In quantities of less than 100 gallons....	.098
In quantities of as much as 100 gallons but less than 200 gallons.....	.088
In quantities of 200 gallons or over.....	.083

This amendment shall become effective January 11, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 5th day of January 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-265; Filed, January 5, 1944;
4:31 p. m.]

PART 1340—FUEL

[MPR 121,¹ Corr. to Amdt. 26]

MISCELLANEOUS SOLID FUELS DELIVERED FROM PRODUCING FACILITIES

Amendment 26 is corrected in the following respects:

1. In item 4 the reference to "Section 1340.248 (3) (ii)" is corrected to read "Section 1340.248 (a) (3) (ii)".

2. In item 5 the reference to "Section 1340.248 (b)" is corrected to read "Section 1340.248 (a) (4)".

These corrections shall be effective as of December 8, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 5th day of January 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-270; Filed, January 5, 1944;
4:37 p. m.]

PART 1341—CANNED AND PRESERVED FOODS

[MPR 306,² Amdt. 24]

CERTAIN PACKED FOOD PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

¹ 7 F.R. 3237, 3989, 4483, 5941, 6002, 6386, 8587, 8521, 8938, 8948, 10529; 8 F.R. 1895, 2756, 4179, 5757, 6261.

² 8 F.R. 16896, 17224, 17295.

Maximum Price Regulation 306 is amended in the following respects:

1. Paragraphs (a) and (b) of § 1341-565 are amended to read as follows:

(a) Wherever a grade for an item is specifically listed (e. g., "A", "B", "C", or "Fancy", "Extra Standard" and "Standard") or prices are determined by reference to an item so listed, the term "grade" means the grade at the time of shipment, as established and defined by the United States Department of Agriculture. Each processor selling such an item shall furnish the purchaser, at or before the time of delivery, with an invoice describing the item and separately stating its grade.

(b) In all other cases, the term "grade" means the commercial grade or customary trade quality designation at the time of shipment.

This amendment shall become effective January 11, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 5th day of January 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-261; Filed, January 5, 1944;
4:34 p. m.]

PART 1346—BUILDING MATERIALS

[MPR 224,¹ Amdt. 4]

CEMENT

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.*

Section 1346.102 is amended to read as set forth below and a new paragraph (c) is added to § 1346.104.

§ 1346.102 *Maximum prices for export sales of cement.* Any manufacturer making the kind or type of sale or transaction defined as "export" or "export sale" in section 11 (1) of the Second Revised Maximum Export Price Regulation shall be subject to that regulation rather than this Maximum Price Regulation No. 224.

§ 1346.104 *Maximum prices for sales and deliveries of cement by manufacturers.* * * *

(c) *Method of determining maximum domestic prices for export sales and sales to an exporter—*(1) *Direct export sales.* The maximum domestic price which shall apply in determining the maximum export price under the Second Revised Maximum Export Price Regulation for American Society for Testing Materials Types 1 and 2 Portland cement exported by a manufacturer shall be a price not in excess of the highest price determined under the following methods:

¹ 7 F.R. 7396, 8650, 8944, 9495, 8 F.R. 8275.

(i) A delivered price at the point of exit shall be such that the cost to the purchaser at that point for like quantities and classifications of cement is not in excess of what it was or would have been to a domestic purchaser of the same class for delivery to such purchaser completed between March 1 to 15, 1942. Such price shall be calculated upon the basis of the prices, pricing practices, freight practices, trade discounts, charges (including package charges), allowances, and deposits (other than deposits on cloth bags which may be required in a reasonable amount so long as the refund equals the deposit) most favorable to purchasers in effect, published, listed, or quoted by the seller during the period March 1 to 15, 1942, but upon the basis of the freight rates in effect at the time of any shipment made subsequent to September 23, 1942.

(ii) A price f. o. b. mill in bulk not in excess of the price listed in paragraph (b) (ii) of this section for the Bureau of Mines District in which the mill is located.

(2) *Sales to exporters.* The maximum price for cement sold by a manufacturer to an exporter (a person who buys cement for his own account for sale to a purchaser outside the United States), shall be, except as provided below, the highest of the following:

(i) A price at the destination designated by the purchaser not in excess of the maximum price established under paragraph (a) of this section for a domestic sale at such destination by a mill whose normal market area includes such destination, or

(ii) A price f. o. b. mill in bulk not in excess of the price listed in paragraph (b) (ii) of this section for the Bureau of Mines District in which the mill is located.

(a) The manufacturer may use the alternative pricing method set forth in paragraph (2) (ii) above only if he indicates on the billing that the price has been determined in accordance with § 1346.104 (c) (2) (ii) of this Maximum Price Regulation No. 224 and secures an affidavit from the purchaser that the cement purchased will not be resold in the normal course of trade to a person other than a foreign purchaser, and the manufacturer retains such affidavit in his possession for a period of two years and makes it available for inspection by the Office of Price Administration.

(3) A delivered price may be charged under paragraph (ii) of paragraphs (c) (1) and (2) of this section equal to the f. o. b. mill price plus freight charges incurred by the manufacturer in making delivery to the point of destination: *Provided*, That if the seller makes delivery with his own facilities he may add to the f. o. b. mill price the charges which he customarily made for such transportation services during the period March 1 to 15, 1942, but in no event to exceed the lowest common carrier charge for such shipment by the mode of transportation employed.

(4) The maximum prices established under this paragraph (c) are subject to trade discounts, quantity differentials,

charges (including package charges) allowances, and deposits (other than deposits on cloth bags which may be required in a reasonable amount so long as the refund equals the deposit) most favorable to domestic purchasers of the same class, which the manufacturer had in effect, published, listed, or quoted, during the period March 1 to 15, 1942: *Provided, however*, That the manufacturer may add an amount to his maximum domestic price to compensate for export packaging costs in excess of those incurred on domestic sales.

(5) The maximum prices under paragraph (c) (1) (ii) and (2) (ii) may be increased to the extent that a cash discount is offered to purchasers under conditions as favorable as were offered by the seller during the period March 1 to 15, 1942: *Provided*, That during the period of the war emergency a reasonable period of grace sufficient to permit routine handling shall be allowed to any war procurement agency within which to avail itself of the cash discount.

(6) The differentials from the price of American Society for Testing Materials Types 1 and 2 Portland cement which prevailed on March 15, 1942, with respect to American Society for Testing Materials Type 3 Portland cement (high early strength cement), white cement, oil-well cements, masonry cement, and other cement, shall be added to or subtracted from, as the case may be, the maximum selling prices established under this paragraph for American Society for Testing Materials Types 1 and 2 Portland cement, to determine the maximum prices for such other cements.

This Amendment No. 4 to Maximum Price Regulation No. 224 shall become effective January 11, 1944.

NOTE: The record keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 5th day of January 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-268; Filed, January 5, 1944;
4:32 p. m.]

PART 1367—FERTILIZERS

[2d Rev. MPR 135, Incl. Amdt. 1]

MIXED FERTILIZER, SUPERPHOSPHATE AND POTASH

Section 10 (a) (4) and Schedules C, D, G, I, J, M, N, O and Q are amended; a paragraph is added before Schedule A and paragraph (f) is added to Schedule K by Amendment 1, effective January 11, 1944, so that 2d Revised Maximum Price Regulation 135 shall read as follows:

In the judgment of the Price Administrator, it is necessary and proper to establish maximum prices for sales to consumers of mixed fertilizer, super-

phosphate and potash which differ from and supersede such maximum prices established under Revised Maximum Price Regulation No. 135, as amended.*

The maximum prices established herein are not below the average prices of mixed fertilizer, superphosphate and potash sold to consumers during the year 1941. They do however meet the minimum required by law being above their average prices on September 15, 1942 only to the extent of intervening unabsorbable increases in costs of production and distribution. The Price Administrator has made adjustments for such relevant factors as he has determined and deemed to be of general applicability. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry affected by this regulation.

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the fertilizer industry and have previously been promulgated and their use lawfully required by another Government agency.

A statement of the considerations involved in the issuance of this Second Revised Maximum Price Regulation No. 135 has been issued simultaneously herewith and filed with the Division of the Federal Register.²

§ 1367.31 *Maximum prices of mixed fertilizer, superphosphate and potash when sold to consumers.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, Executive Order No. 9250 and Executive Order No. 9328, Second Revised Maximum Price Regulation No. 135, Mixed Fertilizer, Superphosphate and Potash, which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1367.31 Second Revised Maximum Price Regulation No. 135, issued under 56 Stat. 23,765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

SECOND REVISED MAXIMUM PRICE REGULATION 135—MIXED FERTILIZER, SUPERPHOSPHATE AND POTASH

ARTICLE I—PROHIBITION AND SCOPE OF REGULATION

Sec.

1. Prohibition against selling mixed fertilizer, superphosphate and potash to consumers at prices above the maximum.
2. Sales at less than maximum prices permitted.
3. Scope of this regulation and its relation to other regulations.

ARTICLE II—MAXIMUM PRICES

4. Maximum prices of mixed fertilizer, superphosphate and potash when sold to consumers.
5. Prohibited practices.
6. Records and reports.
7. Enforcement.
8. Petitions for amendment and application for adjustment.
9. Adjustable pricing.
10. Definitions.
11. Optional effective date of this regulation.

* 8 F.R. 3621, 8540, 10572, 11481.

² Statements of considerations are also issued simultaneously with amendments. Copies may be obtained from the Office of Price Administration.

ARTICLE III—MAXIMUM PRICE SCHEDULES

Schedule A—Maine (Aroostook County and the sections of Penobscot and Washington Counties lying north and west of Millinocket and Danforth).

Schedule B—Maine (except the part in Schedule A), Vermont, New Hampshire, Massachusetts, Connecticut and Rhode Island.

Schedule C—New York and New Jersey.

Schedule D—Pennsylvania.

Schedule E—Delaware, Maryland and the District of Columbia.

Schedule F—West Virginia (counties north of and including Mason, Jackson, Roane, Clay, Webster, Randolph, Pendleton, and the part of Nicholas County served by the Baltimore and Ohio Railroad).

Schedule G—West Virginia (Counties of Jefferson, Berkeley and the part of Nicholas County served by the Chesapeake and Ohio Railroad, also counties south of and including Pocahontas, Greenbrier, Kanawha, Putnam, Cabell), Virginia, North Carolina, South Carolina and Georgia.

Schedule H—Florida (east of the Apalachicola River).

Schedule I—Alabama and Florida (west of the Apalachicola River).

Schedule J—Mississippi and Louisiana (east of the Mississippi River).

Schedule K—Louisiana (west of the Mississippi River), Arkansas, Texas, New Mexico and Oklahoma (except Counties of Cimarron, Texas, Beaver, Harper, Woods, Alfalfa, Grant, Kay, Osage, Washington, Nowata, Craig, Ottawa, and Delaware. Prices for these counties are in Schedule N with Kansas).

Schedule L—Tennessee.

Schedule M—Kentucky.

Schedule N—Ohio, Indiana, Michigan, Illinois, Wisconsin, Iowa, Missouri, Minnesota, Nebraska, Kansas, North Dakota, South Dakota, and Oklahoma (counties excepted in Schedule K).

Schedule O—Wyoming, Colorado, Utah, Idaho, Montana, Nevada.

Schedule P—Oregon and Washington.

Schedule Q—California and Arizona.

Schedule R—Puerto Rico.

Schedule S—Victory Garden and Specialty Fertilizers.

ARTICLE I—PROHIBITION AND SCOPE OF REGULATION

SECTION 1. *Prohibition against selling mixed fertilizer, superphosphate and potash to consumers at prices above the maximum.* On and after November 23, 1943, but not later than January 1, 1944, regardless of any contract, agreement, lease or other obligation, no person shall sell or deliver to a consumer, and no person in the course of trade or business shall buy or receive mixed fertilizer, superphosphate or potash at prices higher than the maximum prices established herein, and no person shall agree, offer, solicit or attempt to make such a sale, purchase or delivery.

SEC. 2. *Sales at less than maximum prices permitted.* Prices lower than the maximum prices established herein may be charged and paid.

SEC. 3. *Scope of this regulation and its relation to other regulations—(a) Transactions and materials.* This regulation applies only to sales to consumers of mixed fertilizer, superphosphate and potash.

(b) *Persons affected.* This regulation covers all sales by manufacturers and dealers to consumers.

(c) *Geographical applicability.* This regulation applies to sales and deliveries in the 48 states of the United States and the District of Columbia, and in the territory of Puerto Rico.

(d) *Relation to Revised Maximum Price Regulation 135, as amended.* This regulation supersedes Revised Maximum Price Regulation 135, as amended, on the effective date or dates with respect to each seller of mixed fertilizer, superphosphate or potash on or after November 23, 1943, as hereinafter provided but not later than January 1, 1944.

(e) *Relation to Hawaiian General Maximum Price Regulation.* This regulation does not supersede the Hawaiian General Maximum Price Regulation which shall continue to apply to sales and deliveries in the territory of Hawaii.

(f) *Relation to General Maximum Price Regulation.* This regulation supersedes the General Maximum Price Regulation except insofar as the provisions of the General Maximum Price Regulation apply to sales and deliveries in territories and possessions of the United States; and further except that the following sections of the General Maximum Price Regulation and amendments thereto shall apply:

- (1) Transfers of business or stock in trade (§ 1499.5)
- (2) Federal and state taxes (§ 1499.7)
- (3) Registration (§ 1499.15)*
- (4) Licensing (§ 1499.16)*
- (5) Penalties (§ 1499.17)

(g) *Relation to the Second Revised Maximum Export Price Regulation.* The maximum prices for export sales of mixed fertilizer, superphosphate and potash are governed by the Second Revised Maximum Export Price Regulation.

(h) *Imports.* The provisions of this regulation apply to the purchases, sales and deliveries of mixed fertilizer, superphosphate and potash originating outside of and imported into continental United States.

ARTICLE II—MAXIMUM PRICES

SEC. 4. *Maximum prices of mixed fertilizer, superphosphate and potash when sold to consumers.* The maximum prices

* 8 F.R. 5307, 6362, 13244, 14765.

* 8 F.R. 3096, 3849, 4347, 4486, 4724, 4978, 4848, 6047, 6962, 8511, 9025, 9991, 11955.

* § 1499.15 of the General Maximum Price Regulation revoked, and § 1499.16 amended by Supplementary Order No. 72, 8 F.R. 13244, effective 10-1-43, to read as follows:

§ 1499.16 *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

* 8 F.R. 4132, 5987, 7662, 9998, 15193.

at which sales and deliveries of mixed fertilizer, superphosphate and potash may be made to consumers shall be no greater than as set forth in the schedules hereinafter attached and made a part hereof.

[NOTE: Supplementary Order No. 13 (7 F.R. 6523) provides that retail sellers of commodities or services, who own more than one establishment and who have maintained a fixed practice of selling commodities or services at retail at uniform or at substantially uniform prices, may apply for authorization to determine and use uniform maximum prices.]

[NOTE: Revised Supplementary Order No. 34 (8 F.R. 12404) permits, under certain conditions, the addition of extra packing expenses to procurement agencies of the United States.]

SEC. 5. *Prohibited practices; general.* Any practice which is a device to get the effect of a higher-than-ceiling price without actually raising the dollars-and-cents price is as much a violation of this Second Revised Maximum Price Regulation No. 135 as an outright overceiling price. This applies to changes in credit practices and cash discounts, and to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying-agreements, trade understandings and the like.

SEC. 6. *Records and reports.* (a) Every person (including a dealer, agent or other person) making a sale of mixed fertilizer, superphosphate, or potash, in quantities of 250 pounds or more, to a consumer, after November 22, 1943, shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, is in effect, complete and accurate records of each sale, showing the date thereof; and name and address of the buyer, of the person (including an agent) making the sale, and of the manufacturer of the mixed fertilizer, superphosphate or potash; the quantity, grade and kind of the mixed fertilizer, superphosphate or potash sold; the bags or containers in which delivered; the price charged or received therefor; the terms of payment (time, cash, discounts, etc.); and the method and conditions of delivery.

(b) (1) Not later than January 1, 1944, every manufacturer of mixed fertilizer, superphosphate or potash, who is engaged in the business of selling the same to consumers and dealers, whether by or through any agent or other person, shall file with the Office of Price Administration in Washington, D. C., one copy of each and every written or printed price schedule, whether temporary or permanent, issued by him in connection with the sale thereof to consumers and dealers from and after the effective date of this regulation for the seller and area affected as hereinafter provided together with all written or printed amendments and supplements to any such schedules.

(2) Upon request addressed to the Office of Price Administration, Washington, D. C., copies of this Second Revised

Maximum Price Regulation No. 135 will be furnished each manufacturer for distribution to his agents and dealers.

(3) Each dealer or agent shall post at his place of business a list of his consumer's maximum prices.

(4) Each manufacturer selling direct to consumers shall post at his office, plant and warehouse his consumers' price list in effect for the area served by each such office, plant, or warehouse.

(c) Persons affected by this Second Revised Maximum Price Regulation No. 135, shall submit such other information to the Office of Price Administration as it may, from time to time, require, in order to effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

SEC. 7. Enforcement. (a) Persons violating any provision of this Second Revised Maximum Price Regulation No. 135 are subject to the criminal penalties, civil enforcement actions, suits for treble damages, and proceedings for revocation of licenses provided for by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250.

(b) Persons who have evidence of any violation of this Regulation or of any other regulation or order issued by the Office of Price Administration are urged to communicate with the nearest field, state, or regional office of the Office of Price Administration or its principal office in Washington, D. C.

SEC. 8. Petitions for amendment and application for adjustment—(a) Amendments. Persons seeking any modification of this Second Revised Maximum Price Regulation No. 135 or an adjustment or exception not provided for herein may file petitions for amendment in accordance with the provisions of Revised Procedural Regulation No. 1,^{*} issued by the Office of Price Administration.

(b) **Government contracts.** (1) The term "government contracts" is here used to include any contract with the United States or any of its agencies, or with the government or any governmental agency of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to Promote the Defense of the United States." It also includes any subcontract under this kind of contract.

(2) Any person who has made or intends to make a "government contract" and who thinks that a maximum price in this Second Revised Maximum Price Regulation No. 135 is impeding or threatens to impede production of mixed fertilizer, superphosphate, or potash which is essential to the war program and which is or will be the subject of the contract, may file an application for adjustment in accordance with Procedural Regulation No. 6.⁹ A copy can be had at any office of the Office of Price Administration.

(3) As soon as the application is filed, deliveries may be made at the requested price, subject to refund if the requested price is disapproved or lowered. The seller must tell the buyer that the delivery is made subject to this refund.

(4) Any manufacturer who is requested by a governmental agency, or a contractor on a governmental project, to submit a bid on, and offer to supply, a grade and kind of mixed fertilizer, superphosphate or potash on which the manufacturer had not established a maximum price, may quote a price, offer for sale, sell and deliver, such commodity to the governmental agency or contractor on a governmental project upon the condition that if the price is later disapproved by the Office of Price Administration, the manufacturer shall forthwith make the appropriate refund to the governmental agency, or its fiscal or disbursing office, or to the contractor on the governmental project, from whom he received payment for the commodity.

[NOTE: Supplementary Order No. 28 (7 F.R. 9619; 8 F.R. 7256) provides for the filing of applications for adjustment or petitions for amendment based on a pending wage or salary increase requiring the approval of the National War Labor Board.]

SEC. 9. Adjustable pricing. Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

SEC. 10. Definitions. (a) When used in this Second Revised Maximum Price Regulation No. 135, the term:

(1) "Person" includes an individual, corporation, partnership, association, farmers' or consumers' cooperative or other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Manufacturer" means a person who produces, mixes or processes, or who markets for his own account and under his own brand or trade name, mixed fertilizer, superphosphate, potash or nitrogenous material for use as an aid to the growth of crops or plants.

(3) "Dealer" means a person who purchases mixed fertilizer, superphosphate or potash and resells it to a consumer.

(4) "Consumer" means the person purchasing mixed fertilizer, superphosphate or potash for use in aiding the growth of crops or plants (and not for resale) including the Agricultural Adjustment Agency when purchasing superphosphate from nonproducers.

[Subparagraph (4) as amended by Am. 1, effective 1-11-44]

(5) "Mixed fertilizer" means any substance containing any two or more, of potash, superphosphate, and nitrogenous material, when marketed or sold as an aid to the growth of crops or plants.

(6) "Superphosphate" means any product which is obtained by mixing rock phosphate with either sulphuric acid or phosphoric acid or with both acids, when marketed or sold as an aid to the growth of crops or plants.

(7) "Potash" means muriate, chloride or sulphate of potash, manure salts and any other substance containing potassium oxide (K₂O), when marketed or sold as an aid to the growth of crops or plants.

(8) "Nitrogenous material" means any organic or inorganic substance containing nitrogen, when marketed or sold as an aid to the growth of crops or plants, except when so marketed or sold without the admixture of any potash or superphosphate.

(9) "Chemical nitrogen" means any nitrogen, other than natural organic nitrogen, including, but not limited to, ammonium sulphate, ammonium nitrate, sodium nitrate, calcium cyanamid, urea and nitrogen-bearing solutions.

(10) "Natural organic nitrogen material" means a fertilizer material of vegetable or animal origin containing nitrogen, including, but not limited to, animal, fish and other tankages, castor pomace, tobacco stems, cotton seed meal, peanut meal, soybean meal, sewage sludge and cocoa shell meal.

(11) "Grade" means the minimum guarantee of the plant food content of mixed fertilizer, superphosphate, or potash, expressed in terms of nitrogen, available phosphoric acid, and water-soluble potash, e. g. 4-12-4, 0-14-7, 0-20-0, 0-0-50.

(12) "Kind" as distinguished from the term "grade" refers only to mixed fertilizer and means the substances, and the proportions thereof, containing the guaranteed plant food content of mixed fertilizer—as, for example, in the case of nitrogenous material, 80% water-soluble and 20% water-insoluble nitrogen; or in the case of potash, 75% sulphate of potash and 25% muriate of potash.

(13) "Price schedule" means any price list or statement, irrespective of form, issued or used by the seller, setting forth the prices, grades, kinds, terms of payment, types of containers or bags, method and conditions of delivery and any other provisions relating to sales of the commodities being priced.

^{*} 7 F.R. 8961; 8 F.R. 3313, 3533, 6173, 11806.

⁹ 7 F.R. 5087, 5664; 8 F.R. 6173, 6174, 12024.

(14) "Place of delivery" means rail or truck destination for goods sold under a price schedule quoting delivered prices, or f. o. b. plant for goods sold under a price schedule quoting f. o. b. plant prices.

(15) "Net to manufacturer" means the amount received by a manufacturer for a sale after deducting discounts and agent's compensation, if any, from his sales price.

(16) "Margin" means the amount of markup which may be added to the dealer's net delivered cost.

(17) "Spring season" means the fertilizer selling season from December 1 of any calendar year to and including June 30 of the next succeeding calendar year.

(18) "Fall season" means the fertilizer selling season from July 1 to November 30, inclusive, of any calendar year.

(19) "Victory garden fertilizer" means any grade of fertilizer authorized by the War Food Administration for use on victory gardens.

(20) "Specialty fertilizer" means a grade and kind of mixed fertilizer (but not Victory garden fertilizer) permitted by the War Food Administration to be manufactured, packaged, and sold for unrestricted use and which is generally marketed through retail outlets other than those selling fertilizer for commercial agricultural use.

(21) "Special ingredients" means elemental sulphur, or chemical compounds of aluminum, boron, copper, iron, manganese, zinc or magnesium, except magnesium in the dolomitic form, when added separately by the fertilizer manufacturer to a mixed fertilizer, superphosphate or potash.

(22) "Premium brand" means a kind and grade of mixed fertilizer, superphosphate or potash which during the period February 16-20, 1942, was listed by the manufacturer of the premium brand at an additional price above the price of a similar regular grade of mixed fertilizer, superphosphate or potash manufactured and listed by him.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

Sec. 11. *Optional effective date of this regulation.* This Second Revised Maximum Price Regulation No. 135 shall, at the option of each fertilizer manufacturer, become effective on or after November 23, 1943, but not later than January 1, 1944, and until such effective date for each fertilizer manufacturer Revised Maximum Price Regulation 135, as amended, shall remain in full force and effect.

[Issued November 17, 1943]

[NOTE: Effective dates of amendments are shown in notes following the parts affected.]

ARTICLE III—MAXIMUM PRICE SCHEDULES

Pricing other permitted grades of mixed fertilizer, superphosphate or potash not priced in schedules A to Q inclusive. Other grades such as multiples

of grades in New England and in the Middle Atlantic states, permitted variations of nitrogen and/or available phosphoric acid in the 4-16-0 in all states, increases in available phosphoric acid content in superphosphate, increases and decreases in K₂O content in potash salts, prices for which are not given in schedules A and Q inclusive shall be priced as follows: In each area, based on the price for the grade of mixed fertilizer, superphosphate or potash on which the variation is to be made, add or deduct the following unit values to determine the maximum consumer price for the permitted grade, subject to discounts as provided in the applicable schedule.

	Per unit
Nitrogen	\$2.25
Potash from muriate forms.....	.75
Potash from sulphate.....	1.00
Available phosphoric acid:	
Schedules A to F inclusive and O to Q inclusive.....	1.10
Schedules G to N inclusive.....	1.00

[Above paragraph added by Am. 1, effective 1-11-44]

SCHEDULE A—MAINE

(Aroostook County and the sections of Penobscot and Washington Counties lying north and west of Millinocket and Danforth.)

(a) Maximum delivered to the farm time prices, full carload or full truckload basis, for goods in 100-pound paper bags.

Grades:	Price per ton
7-7-7.....	\$46.70
6-9-15.....	52.00
5-10-10.....	47.25
5-10-5.....	43.75
5-8-7.....	43.25
5-7-10.....	44.40
4-16-0.....	43.75
3-12-6.....	41.95
0-14-14.....	42.85
0-20-0.....	35.00
0-19-0.....	34.00
0-18-0.....	33.00
0-0-60 Muriate of potash.....	50.60
0-0-50 Muriate of potash.....	45.20
0-0-21.5 Sulphate potash-magnesia.....	45.20

(b) *Special ingredients.* For specified guaranteed quantities of the following ingredients, an extra charge may be added to the prices in (a) as follows: (except premium brands)

	Per unit
Potash from sulphate.....	\$0.40
Magnesium oxide from sulphate of potash-magnesia, seawater magnesium or similar source.....	1.00
	Per pound
Copper sulphate.....	\$0.10
Manganese sulphate, 65%.....	.05
Borax.....	.05
Elemental sulphur.....	.035

(c) *Premium brands.* Add to maximum prices in (a) above, differentials no greater in cents per ton than were in effect during the period February 16-20, 1942.

(d) *Bag differentials.* Add to the prices in (a):

\$1.25 per ton for 167 or 200-pound textile bags;
\$1.50 per ton for 125-pound textile bags;
\$1.75 per ton for 100-pound textile bags;
\$5.00 per ton for barrels.

(e) *Terms.* Prices in (a) are consumer's time prices for payment October 1. For goods shipped sight draft, cash in advance, cash upon delivery or cash within 10 days from date of shipment, a discount of 5% is to be allowed.

(f) *Delivery.* At manufacturer's option deliveries may be made by rail or truck subject to the following differentials from prices in (a):

(1) On rail shipments, when delivery is taken at car door, deduct 75¢ per ton.

(2) When delivery is taken at a warehouse located in the area, deduct 75¢ per ton.

(3) When delivery is taken at factories, deduct the carload rate of freight from the factory to consumer's nearest railroad station plus 75¢ per ton.

(4) For 1, c. l. or less truckloads, an additional charge may be made equal to the additional cost of transportation.

SCHEDULE B—NEW ENGLAND

(Except the part of Maine in Schedule A)

Column I—Maine (except Aroostook County and the sections of Penobscot and Washington Counties lying north and west of Millinocket and Danforth.) *Vermont* (except Bennington and Windham Counties.) *New Hampshire* (except Cheshire, Hillsboro, Rockingham, Sullivan, Merrimack, Strafford and Belknap Counties.)

Column II—Vermont (Bennington and Windham Counties.) *New Hampshire* (counties excepted above.) *Massachusetts, Connecticut, Rhode Island.*

(a) Maximum delivered to the farm time prices, full carload or full truckload basis, for goods in 100-pound paper bags.

Grade	Price per ton	
	I	II
7-7-7.....	\$51.20	\$48.70
6-9-15.....	57.50	52.00
5-10-10.....	50.95	48.45
5-10-5.....	47.70	45.20
5-8-7.....	47.40	44.90
5-7-10.....	48.55	44.45
4-16-0.....	46.95	44.45
3-12-6.....	45.35	42.85
0-14-14.....	48.05	45.55
0-20-0.....	33.05	30.55
0-19-0.....	31.75	29.25
0-18-0.....	30.45	27.95
0-0-60 Muriate of potash.....	56.20	53.70
0-0-50 Muriate of potash.....	50.80	48.30
0-0-48 Sulphate of potash.....	60.25	57.75
0-0-21.5 Sulphate potash-magnesia.....	50.80	48.30

TOBACCO GRADES ONLY

6-3-6.....	\$70.00
5-3-5.....	63.40
4-10-0.....	59.80

(b) *Special ingredients.* For specified guaranteed quantities of the following ingredients, an extra charge may be added to the prices in (a) as follows: (except premium brands)

	Per unit
Potash from sulphate (except tobacco grades).....	\$0.40
Magnesium oxide from sulphate of potash-magnesia, seawater magnesium or similar source.....	1.00

	Per pound
Copper sulphate.....	\$0.10
Manganese sulphate, 65%.....	.05
Borax.....	.05

Tobacco goods only. Add for potash from cotton hull or boll ashes, 25¢ per unit.

(c) *Premium brands.* Add to maximum prices in (a) above, differentials no greater in cents per ton than were in effect during the period February 16-20, 1942.

(d) *Bag differentials.* Add to the prices in (a):

\$1.35 per ton for 167 or 200-pound textile bags;

\$1.70 per ton for 125-pound textile bags; \$2.00 per ton for 100-pound textile bags.

(e) *Terms.* Prices in (a) are consumer's time prices for payment October 1. For goods shipped sight draft, cash in advance, cash upon delivery, or cash within seven days of date of shipment, a discount of ten per cent is to be allowed.

Quantity discounts. Except on tobacco goods, the prices in (a) are subject to the following discounts:

5% but not over \$2.25 per ton for 10 to 49 tons.

7% but not over \$3.15 per ton for 50 to 99 tons.

10% but not over \$4.50 per ton for 100 tons or over.

(f) *Delivery.* At manufacturer's option deliveries may be made by rail or truck subject to the following differentials from prices in (a):

(1) On rail shipments, when delivery is taken at car door, deduct \$1.00 per ton, except on tobacco goods.

(2) When delivery is taken at a factory or producer-controlled warehouse, deduct (for the shortest highway mileage to consumer's nearest railway station) not less than the following rates:

50¢ per ton for distance up to five miles.

2½¢ per ton per mile additional for the next 175 miles.

(3) For l. c. l. or less truckloads, an additional charge may be made equal to the additional cost of transportation.

SCHEDULE C—NEW JERSEY AND NEW YORK

Column I—New Jersey, New York: Long Island, Richmond, New York and Rockland Counties.

Column II—New York: Orange and Ulster Counties.

Column III—New York: All remaining counties except St. Lawrence, Franklin, Clinton, and Essex.

Column IV—New York: St. Lawrence, Franklin, Clinton, and Essex Counties.

(a) Maximum delivered to the farm time prices, full carload, 20-ton boatload or full truckload basis, for goods in 100-pound paper bags.

Grade	Price per ton			
	I	II	III	IV
10-6-4	\$44.40			
7-7-7	42.35	\$43.45	\$44.95	\$45.95
5-10-10	42.20	43.30	44.80	45.80
5-10-5	38.45	39.55	41.05	42.05
5-8-7	38.35			
4-10-0	37.10	38.20	39.70	40.70
4-12-8	39.90	41.00	42.50	43.50
4-12-4	36.90	38.00	39.50	40.50
4-8-12	39.70	40.80	42.30	43.30
3-12-6	36.00	37.10	38.60	39.60
3-9-15	40.35	41.45	42.95	43.95
3-9-12	38.10	39.20	40.70	41.70
2-12-6	33.60	34.70	36.20	37.20
0-14-7	31.15	32.25	33.75	34.75
0-12-12	33.30	34.40	35.90	36.90
0-10-20	37.70	38.80	40.30	41.30
0-20-0	26.50	27.60	29.10	30.10
0-19-0	25.25	26.35	27.85	28.85
0-18-0	24.00	25.10	26.60	27.60
0-0-60 Muriate of potash	52.70	53.80	55.30	56.30
0-0-50 Muriate of potash	47.10	48.20	49.70	50.70
0-0-48 Sulphate of potash	57.10	58.20	59.70	60.70
0-0-21.5 Sulphate of potash-magnesia	47.10	48.20	49.70	50.70

¹ New Jersey only.

(b) *Special ingredients.* For specified guaranteed quantities of the following ingredients, an extra charge may be added to

the prices in (a) as follows: (except premium brands).

	Per unit.
Potash from sulphate	\$0.40
Magnesium oxide from sulphate of potash-magnesia, seawater magnesium or similar sources	1.00

	Per pound.
Copper sulphate	\$0.10
Manganese sulphate, 65%	.05
Borax	.05
Elemental sulphur	.035

(c) *Premium brands.* Add to maximum prices in (a) above, differentials no greater in cents per ton than were in effect during the period February 16-20, 1942.

(d) *Bag differentials.* Add to the prices in (a):

\$1.35 per ton for goods in 167 or 200-pound textile bags;

\$1.70 per ton for goods in 125-pound textile bags;

\$2.00 per ton for goods in 100-pound textile bags.

(e) *Terms.* Prices in (a) are consumer's time prices for payment October 1st on Spring shipments or December 1st on Fall shipments. For goods shipped sight draft, cash in advance, cash upon delivery or cash within seven days of date of shipment, a discount of ten per cent is to be allowed.

(f) *Delivery.* At manufacturer's option deliveries may be made by rail, boat or truck, subject to the following differentials from prices in (a):

(1) On rail or boat shipments, an allowance of 75¢ per ton shall be made for delivery from railroad station or boat landing to consumer premises for New Jersey, Long Island and Richmond, New York and Rockland Counties, N. Y.; \$1.00 per ton for all other counties in New York State.

(2) On goods trucked from factory or producer-controlled distributing warehouse, trucking shall be allowed for shortest highway mileage to consumer's nearest railway station at not less than:

(i) New Jersey, Richmond, New York, and Rockland counties, N. Y.:

75¢ per ton for a distance up to 5 miles, 2½¢ per ton per mile for additional mileage but not to exceed \$3.50 per ton total, including ferry tolls.

(ii) Long Island; 75¢ per ton for a distance up to 5 miles; 3¢ per ton per mile for distances beyond 5 miles up to but not exceeding carload rate of freight.

(iii) Remainder of New York State: \$1.00 per ton for a distance up to 5 miles, 2½¢ cents per ton per mile for distances beyond 5 miles up to but not exceeding carload rate of freight.

[Subparagraphs (ii) and (iii) as amended by Am. 1, effective 1-11-44]

(3) For l. c. l., less than 20-ton boatload or less than full truckload, an additional charge may be made equal to the additional cost of transportation.

SCHEDULE D—PENNSYLVANIA

Column I. Carbon, Cumberland, Dauphin, Fulton, Franklin, Monroe, Schuylkill, and all counties east and south thereof.

Column II. Bedford, Blair, Cambria, Centre, Clinton, Columbia, Huntingdon, Juniata, Luzerne, Lycoming, Mifflin, Montour, Northumberland, Perry, Snyder, Somerset and Union counties.

Column III. Tioga, Bradford, Susquehanna, Sullivan, Wyoming, Wayne, Pike and Lackawanna counties.

Column IV. Potter, Cameron, Clearfield, Indiana, Westmoreland, Fayette and all counties west thereof.

(a) Maximum delivered to the farm time prices, full carload or full truckload basis, for goods in 100-pound paper bags.

Grade	Price per ton			
	I	II	III	IV
10-6-4	\$44.85	\$46.15	\$46.60	\$47.20
7-7-7	42.80	44.10	44.55	45.15
5-10-10	42.65	43.95	44.40	45.00
5-10-5	38.90	40.20	40.65	41.25
4-10-0	37.55	38.85	39.30	39.90
4-12-8	40.35	41.65	42.10	42.70
4-12-4	37.35	38.65	39.10	39.70
4-8-12	40.15	41.45	41.90	42.50
3-12-6	36.45	37.75	38.20	38.80
3-9-12	38.55	39.85	40.30	40.90
2-12-6	34.05	35.35	35.80	36.40
0-14-7	31.60	32.90	33.35	33.95
0-12-12	33.75	35.05	35.50	36.10
0-20-0	26.65	27.95	28.40	29.00
0-19-0	25.50	26.80	27.25	27.85
0-18-0	24.35	25.65	26.10	26.70
0-0-60 Muriate of potash	53.05	54.35	54.80	55.40
0-0-50 Muriate of potash	47.65	48.95	49.40	50.00
0-0-48 Sulphate of potash	57.05	58.35	58.80	59.40
0-0-21.5 Sulphate of potash-magnesia	47.65	48.95	49.40	50.00

(b) *Special ingredients.* For specified guaranteed quantities of the following ingredients, an extra charge may be added to the prices in (a) as follows: (except premium brands)

	Per unit
Nitrogen, tobacco grades only	\$0.30
Potash from sulphate	.40
Magnesium oxide from sulphate of potash-magnesia, seawater magnesium or similar sources	1.00

	Per pound
Copper sulphate	.10
Manganese sulphate, 65%	.05
Borax	.05

(c) *Premium brands.* Add to maximum prices in (a) above, differentials no greater in cents per ton than were in effect during the period February 16-20, 1942.

(d) *Bag differentials.* Add to the prices in (a):

\$1.35 per ton for 167 or 200-pound textile bags.

\$1.70 per ton for 125-pound textile bags.

\$2.00 per ton for 100-pound textile bags.

(e) *Terms.* Prices in (a) are consumer's time prices for payment October 1st on Spring shipments or December 1st on Fall shipments. For goods shipped sight draft, cash in advance, cash upon delivery or cash within seven days of date of shipment, a discount of ten per cent is to be allowed.

(f) *Delivery.* At manufacturer's option deliveries may be made by rail, boat, or truck, subject to the following differentials from prices in (a):

(1) On rail or boat shipments an allowance of 75¢ per ton shall be made for delivery from railroad station or boat landing to consumer's premises in all counties except those listed below; deduct \$1.00 per ton in Erie, Crawford, Warren, McKean, Potter, Tioga, Bradford, Susquehanna, Sullivan, Wyoming, Wayne, Pike and Lackawanna counties.

(2) On goods trucked from factory or producer-controlled distributing warehouse, trucking shall be allowed for shortest highway mileage to consumer's nearest railway station at not less than:

(i) Columns I, II, and IV.

\$0.75 per ton for distances up to five miles, \$0.02½ per ton per mile additional for the next 100 miles,

\$0.01 per ton per mile for next 175 miles.

(ii) Column III. \$1.00 per ton for distances up to 5 miles, 2½¢ cents per ton per mile for the next 100 miles but total trucking allowance is not to exceed carload rate of freight.

[Subparagraph (ii) as amended by Am. 1, effective 1-11-44]

(3) For less car rail shipments, less truckload or less than 20 tons by boat, an additional charge may be made equal to the additional cost of transportation.

SCHEDULE E—DELAWARE, MARYLAND, DISTRICT OF COLUMBIA

Column I—*Delaware, Maryland* (counties of Cecil, Kent, Queen Annes, Caroline, Talbot, Dorchester, Wicomico, Somerset, and Worcester).

Column II—*District of Columbia, Maryland* (counties of Anne Arundel, Baltimore, Calvert, Carroll, Charles, Frederick, Harford, Howard, Montgomery, Prince Georges, St. Marys and Washington).

Column III—*Maryland* (counties of Garrett and Allegany).

(a) Maximum delivered to the farm time prices, full carload, full truckload, or 20-ton boatload basis, for goods in 100-pound paper bags.

Grade	Price per ton		
	I	II	III
10-6-4	\$43.20	\$43.60	\$44.90
7-7-7	41.15	41.55	42.85
6-8-6	38.80	39.20	40.50
5-10-10	41.00	41.40	42.70
5-10-5	37.25	37.65	38.95
4-16-0	35.90	36.30	37.60
4-12-8	38.70	39.10	40.40
4-12-4	35.70	36.10	37.40
4-8-12	38.50	38.90	40.20
3-12-6	34.80	35.20	36.50
3-9-12	36.90	37.30	38.60
2-12-12	36.90	37.30	38.60
2-12-6	32.40	32.80	34.10
0-14-7	29.95	30.35	31.65
0-12-12	32.10	32.50	33.80
0-20-0	25.30	25.70	27.00
0-19-0	24.30	24.70	26.00
0-18-0	23.30	23.70	25.00
0-0-60 Muriate of potash	51.10	51.50	52.80
0-0-50 Muriate of potash	45.70	46.10	47.40
0-0-48 Sulphate of potash	55.70	56.10	57.40
0-0-21.5 Sulphate of potash magnesia	45.70	46.10	47.40

¹ Maryland tobacco only.

(b) *Special ingredients.* For specified guaranteed quantities of the following ingredients, an extra charge may be added to the prices in (a), as follows: (except premium brands)

	Per unit
Nitrogen, tobacco grades only	\$0.30
Potash from sulphate	.40
Magnesium oxide from sulphate of potash-magnesia, seawater magne- sium or similar source	1.00

	Per pound
Copper sulphate	\$0.10
Manganese sulphate, 65%	.05
Borax	.05

(c) *Premium brands.* Add to maximum prices in (a) above, differentials no greater in cents per ton than were in effect during the period February 16-20, 1942.

(d) *Bag differentials.* Add to the prices in (a):

\$1.35 per ton for 167 or 200-pound textile bags.
\$1.70 per ton for 125-pound textile bags.
\$2.00 per ton for 100-pound textile bags.

(e) *Terms.* Prices in (a) are consumer's time prices for payment October 1st on Spring shipments or December 1st on Fall

shipments. For goods shipped sight draft, cash in advance, cash upon delivery or cash within seven days of date of shipment, a discount of ten per cent is to be allowed.

(f) *Delivery.* At manufacturer's option deliveries may be made by rail, boat or truck, subject to the following differentials from prices in (a):

(1) On rail or boat shipments, an allowance of 75¢ per ton shall be made for delivery taken at railroad station or boat landing.

(2) On delivery taken at a factory or producer-controlled distributing warehouse, trucking shall be allowed for shortest highway mileage to consumer's nearest railway station at not less than:

(i) Column I:
75¢ per ton for distances up to 5 miles,
2½¢ per ton per mile additional for the next 70 miles.

(ii) Column II:
75¢ per ton for distances up to 5 miles,
2½¢ per ton per mile additional for the next 100 miles.

(iii) Column III:
75¢ per ton for distances up to 5 miles,
2½¢ per ton per mile additional for the next 100 miles,
1¢ per ton per mile additional for next 175 miles.

(3) For less car rail shipments, less truck load or less than 20 tons by boat, an additional charge may be made equal to the additional cost of transportation.

SCHEDULE F—WEST VIRGINIA

(Counties north of and including Mason, Jackson, Roane, Clay, Webster, Randolph, Pendleton and the part of Nicholas county served by the B. & O. Railroad.)

Column I. Morgan, Hampshire, Hardy, Grant and Pendleton counties.

Column II. Mineral, Preston and Tucker counties.

Column III. Barbour, Braxton, Doddridge, Gilmer, Harrison, Lewis, Marion, Monongahela, Pleasants, Randolph, Ritchie, Taylor, Tyler, Upshur, Webster, Wetzel counties and the part of Nicholas county served by the B. & O. Railroad.

Column IV. Hancock, Brooke, Ohio and Marshall counties.

Column V. Calhoun, Jackson, Mason, Roane, Wirt and Wood counties.

(a) Maximum delivered to the farm time prices, full carload or full truckload basis, for goods in 100-pound paper bags.

Grade	Price per ton				
	I	II	III	IV	V
10-6-4	\$43.60	\$44.90	\$46.20	\$46.80	\$47.50
5-10-10	41.40	42.70	44.00	44.60	45.30
5-10-5	37.65	38.95	40.25	40.85	41.55
4-16-0	36.30	37.60	38.90	39.50	40.20
4-12-8	39.10	40.40	41.70	42.30	43.00
4-12-4	36.10	37.40	38.70	39.30	40.00
3-12-6	35.20	36.50	37.80	38.40	39.10
2-12-6	32.80	34.10	35.40	36.00	36.70
0-14-7	30.35	31.65	32.95	33.55	34.25
0-12-12	32.50	33.80	35.10	35.70	36.40
0-20-0	25.70	27.00	28.30	28.90	29.60
0-19-0	24.70	26.00	27.30	27.90	28.60
0-18-0	23.70	25.00	26.30	26.90	27.60
0-0-60 Muriate of potash	51.50	52.80	54.10	54.70	55.40
0-0-50 Muriate of potash	46.10	47.40	48.70	49.30	50.00
0-0-48 Sulphate	56.10	57.40	58.70	59.30	60.00
0-0-21.5 Sulphate of potash-magnesia	46.10	47.40	48.70	49.30	50.00

(b) *Special ingredients.* For specified guaranteed quantities of the following ingredients, an extra charge may be added to the prices in (a) as follows: (except premium brands)

	Per unit
Nitrogen, tobacco grades only	\$0.30
Potash from sulphate	.40
Magnesium oxide from sulphate of potash-magnesia, seawater magnesium or similar source	1.00

	Per pound
Copper sulphate	\$0.10
Manganese sulphate, 65%	.05
Borax	.05

(c) *Premium brands.* Add to maximum prices in (a) above, differentials no greater in cents per ton than were in effect during the period February 16-20, 1942.

(d) *Bag differentials.* Add to the prices in (a):

\$1.35 per ton for 167 or 200-pound textile bags.

\$1.70 per ton for 125-pound textile bags.

\$2.00 per ton for 100-pound textile bags.

(e) *Terms.* Prices in (a) are consumer's time prices for payment October 1st on Spring shipments or December 1st on Fall shipments.

For goods shipped sight draft, cash in advance, cash upon delivery or cash within 7 days of date of shipment, a discount of ten per cent is to be allowed.

(f) *Delivery.* At manufacturer's option deliveries may be made by rail or truck subject to the following differentials from prices in (a):

(1) On rail shipments an allowance of 75¢ per ton shall be made for delivery taken at a railroad station.

(2) On delivery taken at a factory or producer-controlled distributing warehouse, trucking shall be allowed for shortest highway mileage to consumer's nearest railway station at not less than:

75¢ per ton for a distance up to 5 miles,
2½¢ per ton per mile additional for the next 100 miles, except in Morgan county,
1¢ per ton per mile additional for the next 175 miles.

(3) For 1. c. 1. or less truck loads, an additional charge may be made equal to the additional cost of transportation.

SCHEDULE G—WEST VIRGINIA (EXCEPT COUNTIES IN SCHEDULE F), VIRGINIA, NORTH CAROLINA, SOUTH CAROLINA, GEORGIA

Column I—*Virginia:* (Except Carroll, Floyd, Montgomery, Craig, Allegheny, and counties west thereof). *West Virginia:* (Jefferson and Berkeley counties).

Column II—*Virginia:* (counties excepted in Column I.) *West Virginia:* (Pocahontas, Greenbrier, Nicholas (the part served by C & O Railroad), Clay, Kanawha, Putnam, Cabell and all counties south thereof).

Column III—*North Carolina.*

Column IV—*South Carolina.*

Column V—*Georgia.*

(a) Maximum delivered to the farm cash prices for goods in 100-pound paper bags.

Grade	Price per ton				
	I	II	III	IV	V
10-6-4	\$40.90	\$42.90			
10-0-10			\$40.60	\$40.40	\$40.40
7-7-7	39.30	41.30			
6-8-6	36.90	38.90	36.60	36.40	36.40
6-8-4	35.50	37.50	35.20		35.00
5-10-10	38.70	40.70			
5-10-5	35.20	37.20	34.90	34.70	34.70
5-7-5			32.80		
4-16-0	33.50	35.50	33.20	33.00	33.00
4-12-8	36.30	38.30			
4-12-4	33.50	35.50	33.20	33.00	33.00
4-10-6			33.20	33.00	
4-10-4	32.10	34.10	31.80	31.60	31.60
4-8-8			33.20	33.00	
4-8-6					31.60
3-12-6	32.50	34.50	32.20	32.00	
3-9-12	34.60	36.60			
3-9-9			32.20	32.00	
3-9-6				29.00	29.90
2-12-6	30.10	32.10	29.80	29.60	29.60
2-10-6			28.40		
0-14-10					29.00
0-14-7	27.40	29.40	27.10	26.90	26.90
0-12-12	29.50	31.50	29.20	29.00	
0-10-10			26.40		
0-20-0	23.35	25.35	22.70	22.25	22.25
0-19-0	22.50	24.50	21.85	21.40	21.40
0-18-0	21.60	23.60	21.00	20.60	20.60
0-0-60 Muriate of potash	49.60	51.60	49.60	49.60	49.60
0-0-50 Muriate of potash	44.20	46.20	44.20	44.20	44.20
0-0-25 Manure salts	30.60	32.60	30.60	30.60	30.60
0-0-48 Sulphate of potash	54.20	56.20	54.20	54.20	54.20
0-0-21.5 Sulphate of potash-magnesia	44.20	46.20	44.20	44.20	44.20
Unburned lime, 6% potash	18.50		18.50		
Burned lime, 6% potash	20.50		20.50		
Burned lime, 6% potash, 4% water-soluble magnesium	22.65		22.65		

TOBACCO GRADES ONLY

5-5-20 ¹			52.00		
4-10-8					39.50
4-9-3 ²	34.90	36.90	34.60	34.40	34.40
3-9-9			36.80	36.60	36.60
3-9-6	34.10	36.10	33.80	33.60	33.60
3-8-5	32.40	34.40	32.10		
3-12-6			35.90		
2-12-6	33.00	35.00		32.50	
2-10-6			31.80		

¹ Virginia only.² All potash from sulphate.³ West Virginia only.⁴ Based on Norfolk, Va., only.

(b) *Special ingredients.* For specified guaranteed quantities of the following ingredients, an extra charge may be added to the prices in (a) as follows: (except premium brands and tobacco grades).

Water-insoluble nitrogen: 15¢ per unit of nitrogen for each 5% above 10% in regular and truck fertilizers:

		Per unit
Potash from sulphate		\$0.30
Magnesium oxide from sulphate of potash-magnesium, seawater magnesium or similar source		1.00
		Per pound
Copper sulphate		\$0.10
Manganese sulphate, 65%		.05
Borax		.05

Tobacco grades only. Add or deduct 15¢ per unit of nitrogen for each 5% water-insoluble nitrogen varying from 25% water-insoluble. If more than 2% chlorine is guaranteed, deduct 30¢ from the price per ton for each unit of chlorine in excess of 2%. For tobacco goods made with the potash all from sulphate of potash, add 60¢ per ton except on grades in (a) marked footnote 2,

which are priced on the basis of potash all being derived from sulphate. Add \$1.00 per cwt. for oilseed meal added to tobacco grades.

[Above text as amended by Am. 1, effective 1-11-44]

(c) *Premium brands.* Add to maximum prices in (a) above, differentials no greater in cents per ton than were in effect during the period February 16-20, 1942.

(d) *Bag differentials.*

Add \$1.25 per ton for 167- or 200-pound textile bags.

Add \$1.50 per ton for 125-pound textile bags.

Add \$1.80 per ton for 100-pound textile bags.

(e) *Terms.* (1) For shipment and sale in 30-ton carload lots by rail to buyer's railroad station or in 10-ton truck lots to buyer's premises, deduct 2%.

(2) For c. o. d. sales, shipments S. D. B. L., or cash within ten days after delivery, deduct 1%.

(3) Deduction in (1) and (2) to be made after deducting freight differentials in (f) below.

(4) Time prices are to be determined as follows:

From the prices in (a) deduct freight differentials in (f) plus tonnage discount in (e) (1) if applicable; to this amount add 10%. Interest may be added at not more than legal rate from May 1 on spring goods and from December 1 on fall goods.

[Subparagraph (4) as amended by Am. 1, effective 1-11-44]

(f) *Delivery.* At manufacturer's option deliveries may be made by rail or truck subject to the following differentials from prices in (a):

(1) *Freight differentials*—(i) Except Accomac and Northampton Counties of Virginia and area in Column II. When the lowest trucking rate, figured as per [(2) (i) (a) or (b)] below, from the nearest port to buyer's premises is less than \$3.75 per ton deduct from the price per ton the difference between \$3.75 and the trucking rate so figured.

[Subparagraph (i) amended, (ii) added, former (ii) redesignated (iii) and amended by Am. 1, effective 1-11-44]

(ii) For Accomac and Northampton Counties of Virginia. Deduct from the price per ton in Column I the difference between \$2.25 and the trucking rate calculated at the rate of 1 cent per ton per mile by shortest highway mileage from Cape Charles, Virginia, to buyer's premises.

(iii) For area in Column II. Where the lowest published carlot freight rate from Baltimore, Md., or Norfolk, Va., to buyer's nearest rail delivery point in effect at time of shipment is less than \$5.00 per ton, deduct from the price per ton the difference between \$5.00 and the effective carload freight rate.

(2) *Trucking allowances*—(i) Except area in Column II. (a) If buyer takes delivery by truck from seller's plant except at Baltimore, allow hauling expense on the following basis:

75¢ per ton for distance up to 15 miles,
\$1.00 per ton for distances between 15 and 25 miles,
\$1.50 per ton for distances between 25 and 40 miles,
1¢ per ton per mile for additional mileage.

(b) If buyers in Virginia and Jefferson and Berkeley counties, West Virginia, as covered in Column I, take delivery by truck from seller's plant at Baltimore or distributing warehouses in that area (provided the rates so figured shall in no case exceed the 20-ton rail or boat rate to destination) allow:

75¢ per ton for distances up to 5 miles,
2½¢ per ton per mile for the next 70 miles,
1¢ per ton per mile for additional mileage.

(c) If shipment is made in 30-ton carload lots by rail, the difference between the trucking rates above provided and the rail rate (from nearest port to destination) shall be allowed.

(ii) *Area in Column II.* (a) If delivery is taken at railhead or at agent's warehouse, deduct 75¢ per ton to cover hauling expense to farm. Hauling expense in excess of 75¢ per ton is for account of buyer.

[Subparagraph (a) as amended by Am. 1, effective 1-11-44]

(b) If the buyer takes delivery by truck from seller's plant, allow hauling expense to the farm on the following basis:

75¢ per ton for a distance up to 40 miles,
1¢ per ton per mile for additional mileage.

SCHEDULE H—FLORIDA (EAST OF THE APALACHICOLA RIVER)

(a) Consumer's delivered to the farm time prices for goods in 100-pound paper bags.

Grade	Price per ton
12-0-10	\$47.85
8-0-12	41.65
8-0-8	38.85
6-6-6	36.95
6-4-8	37.25
5-8-8	37.55
5-7-5	34.90
5-6-10	37.85
5-5-8	35.90
4-16-0	34.45
4-12-6	36.45
4-12-4	35.05
4-10-7	36.05
4-9-3	32.70
4-8-8	35.65
4-8-6	34.25
4-8-4	32.85
4-7-5	33.00
4-6-8	34.55
4-5-7	33.30
4-4-8	33.45
3-8-8	33.75
3-8-5	31.65
3-6-10	34.05
3-6-8	32.65
2-10-4	30.15
2-8-10	33.25
2-8-6	30.45
0-14-10	32.75
0-14-5	29.25
0-12-16	35.85
0-10-10	30.55
0-8-24	39.25
0-8-12	30.85
0-20-0	24.00
0-19-0	23.50
0-18-0	23.00
0-16-0	22.00
0-0-60 Muriate	54.40
0-0-50 Muriate	49.00
0-0-25 Manure salts	35.00
0-0-48 Sulphate	59.00
0-0-21.5 Sulphate potash-magnesia	49.00

(b) *Special ingredients.* For specified quantities of the following ingredients, an

extra charge may be added to the consumer's delivered time prices, as follows:

Nitrate nitrogen.....	\$0.50 per unit.
Total organic nitrogen (excess over one-tenth water-soluble shall be priced as ammoniacal nitrogen.....	\$4.40 per unit.
Potash other than muriate.....	\$0.30 per unit.
Sulphur.....	\$0.55 per unit of S.
Copper sulphate.....	\$5.30 per unit of CuO.
Borax.....	\$2.50 per unit of B ₂ O ₃ .
Zinc sulphate.....	\$3.65 per unit of ZnO.
Iron sulphate.....	\$1.30 per unit of Fe ₂ O ₃ .
Aluminum sulphate.....	\$4.50 per unit of Al ₂ O ₃ .
Manganese sulphate.....	\$3.00 per unit of MnO.
Magnesium oxide.....	\$1.00 per unit of MgO.

(c) "Premium brand" differentials. Add to maximum prices in (a) above, differentials not greater in cents per ton than were in effect during the period February 16-20, 1942.

(d) Bag differentials. Add \$1.35 for 200-pound textile bags.

Add \$1.95 for 100-pound textile bags.

(e) Terms. (1) For payment in cash 10 days following delivery, deduct from the applicable maximum time price (after quantity discounts have been deducted) 5% of such applicable maximum time price.

(2) Quantity discounts. The maximum time price to a buyer who, during the course of an entire year, accepts delivery of and pays for mixed fertilizer and materials containing nitrogen, phosphoric acid or potash in the quantities specified, shall be reduced as follows:

30 tons or more but less than 100 tons—deduct 5 per cent.

100 tons or more but less than 300 tons—deduct 8 per cent.

300 tons or more 10 per cent.

(f) Delivery—(1) Freight discount. A discount per ton is to be deducted from prices in (a) equal to the difference between \$4.50 per ton and the actual freight paid on the shipment from Jacksonville or Tampa, whichever is lower.

(2) Farm delivery discount. When delivery is made at railroad station, boat landing or agent's warehouse, deduct an additional 75 cents per ton.

(3) Factory discount. For prices f. o. b. Tampa or Jacksonville factories deduct \$5.25 per ton (\$4.50 freight plus 75¢ farm delivery discount).

(4) Inland factories. To the f. o. b. Tampa or Jacksonville price above, add actual freight to inland plant from nearest port to determine f. o. b. price.

SCHEDULE I—ALABAMA, FLORIDA (West of the Apalachicola River)

(a) Maximum delivered-to-the-farm cash prices for goods in 100-pound textile bags:

Grade:	Price per ton
12-0-10 ¹	\$45.40
8-0-12 ¹	37.80
8-0-8 ¹	35.00
6-8-4 ¹	34.50
6-6-6 ¹	34.20
6-4-8 ¹	33.90
5-8-8 ¹	35.05
5-7-5 ¹	32.10
5-6-10 ¹	34.75
5-5-8 ¹	32.50
4-16-0.....	34.00
4-12-6 ¹	34.80
4-12-4 ¹	33.40
4-10-7 ¹	33.80

No. 5—8

Grade:	Price per ton
4-10-6 ²	\$33.10
4-10-4 ¹	31.70
4-9-3 ¹	30.15
4-8-8 ¹	32.80
4-8-6 ¹	31.40
4-8-4 ¹	30.00
4-7-5 ¹	29.85
4-6-8 ¹	31.10
4-5-7 ¹	29.55
4-4-8 ¹	29.40
3-8-8 ¹	30.55
3-8-5 ¹	28.45
3-6-10 ¹	30.25
3-6-8 ¹	28.85
2-10-4 ¹	27.20
2-8-10 ¹	29.70
2-8-6 ¹	26.90
0-14-10.....	30.30
0-14-5 ¹	26.80
0-12-16 ¹	32.80
0-10-10 ¹	26.90
0-8-24 ¹	35.00
0-8-12 ¹	26.60
0-20-0.....	22.50
0-19-0.....	21.75
0-18 ¹ -0.....	21.00
0-16-0.....	20.00
0-0-60 Muriate of potash.....	50.40
0-0-50 Muriate of potash.....	45.00
0-0-25 Manure salts.....	31.35
0-0-48 Sulphate of potash.....	55.00
0-0-21.5 Sulphate of potash-magnesia.....	45.00

Tobacco grades only:

3-9-9 ²	36.60
3-8-8 ¹	34.75

¹ Florida only.

² Alabama only.

[Paragraph (a) as amended by Am. 1, effective 1-11-44]

(b) Special ingredients. For specified quantities of the following ingredients, an extra charge may be added to the consumer delivered cash prices in (a), as follows: (except premium brands and tobacco grades).

	Per unit
Potash from sulphate.....	\$0.30
Magnesium oxide from sulphate of potash-magnesia, seawater magnesia or like materials.....	1.00
	Per pound
Copper sulphate.....	\$0.10
Manganese sulphate, 65%.....	.05
Borax.....	.05
Sulphur.....	.035

(c) Premium brands. Add to maximum prices in (a) above, differentials no greater in cents per ton than were in effect during the period February 16-20, 1942.

(d) Bag differentials.

Deduct \$0.55 per ton for 200-pound textile bags.

Deduct \$1.75 per ton for 100-pound paper bags.

(e) Terms. (1) For C. O. D. sales, shipments, S. D. B. L., or cash within 10 days after delivery, deduct 1%.

(2) Time prices are determined by adding 10% flat to the cash prices, plus interest from May 1 to maturity @ 6% per annum.

(f) Delivery. At manufacturer's option deliveries may be made by rail or truck subject to the following differentials from prices in (a):

(1) Rail shipments. If shipment is made in 30-ton carload lots by rail, allow 75¢ per ton for delivery from railhead to farm.

(2) Truck deliveries. Allowances to buyers who take delivery at factories:

75¢ per ton for distances up to 15 miles, \$1.00 per ton for distances between 15 and 25 miles.

\$1.50 per ton for distances between 25 and 40 miles,

1¢ per ton per mile for additional mileage.

(3) If rail shipments are made in less than 30-ton carload lots, the difference between the 30-ton rate and the rate applicable to the shipment—not including the 3% tax—may be added to the net delivered price for carload rail shipment.

SCHEDULE J—MISSISSIPPI AND LOUISIANA (EAST OF THE MISSISSIPPI RIVER)

(a) Maximum consumer's delivered-to-railhead or dealer's warehouse cash prices for goods in 100-pound textile bags.

[Paragraph (a) as amended by Am. 1, effective 1-11-44]

Grade:	Price per ton
12-8-0 ¹	\$44.30
10-0-10 ¹	39.70
6-8-4.....	35.10
5-10-5.....	35.20
4-16-0.....	34.90
4-12-6 ¹	35.30
4-12-4 ¹	33.90
4-8-8.....	32.90
3-12-12 ¹	37.00
0-14-7.....	28.50
0-12-12 ¹	30.10
0-20-0.....	24.00
0-19-0.....	23.25
0-18-0.....	22.50
0-0-60 Muriate of potash.....	51.80
0-0-50 Muriate.....	46.45
0-0-25 Manure salts.....	32.60
0-0-48 Sulphate of potash.....	56.45
0-0-21.5 Sulphate of potash-magnesia.....	46.45

¹ Louisiana only.

(b) Special ingredients. For specified quantities of the following ingredients, an extra charge may be added to the consumer's delivered cash prices, as follows: (except premium brands).

	Per unit
Potash from sulphate.....	\$0.30
Magnesium oxide from sulphate of potash-magnesia, seawater magnesia or like materials.....	1.00
	Per pound
Copper sulphate.....	\$0.10
Manganese sulphate, 65%.....	.05
Borax.....	.05
Elemental sulphur.....	.035

(c) Premium brands. Add to the maximum prices in (a) above, differentials no greater in cents per ton than were in effect during the period February 16-20, 1942.

(d) Bag differentials.

Deduct \$0.55 per ton for 200-pound textile bags.

Deduct \$1.75 per ton for 100-pound paper bags.

(e) Terms. Time prices: Add 10% to the cash prices, plus interest from May 1st for Spring or December 1st for Fall shipments until paid @ 6% per annum in Mississippi, 8% in Louisiana.

SCHEDULE K—LOUISIANA (WEST OF THE MISSISSIPPI RIVER), ARKANSAS, TEXAS, NEW MEXICO, OKLAHOMA

(Except counties of Cimarron, Texas, Beaver, Harper, Woods, Alfalfa, Grant, Kay, Osage, Washington, Nowata, Craig, Ottawa and Delaware. These counties take Kansas prices and terms in Schedule N).

(a) Maximum consumer's cash prices f. o. b. railhead or agent's warehouse for goods in 100-pound textile bags.

Column I—Louisiana (West of the Mississippi River).

Column II—Arkansas, Oklahoma (except counties of Cimarron, Texas, Beaver, Harper, Woods, Alfalfa, Grant, Kay, Osage, Washington, Nowata, Craig, Ottawa and Delaware.) Eastern Texas (Except areas in Columns III and IV.)

Column III—Texas, Rio Grande Valley and Winter Garden Area: Counties south of and including Maverick, Zavala, Frio, Atascosa, Live Oak and San Patricio.

Column IV—New Mexico, Western Texas, counties west of and including Lipscomb, Hemphill, Wheeler, Collingsworth, Childress, Cottle, King, Stonewall, Fisher, Nolan, Coke, Tom Greene, Schleicher, Sutton, Edwards and Kinney.

Grade	Price per ton			
	I	II	III	IV
12-15-0		\$54.20	\$56.20	\$57.20
12-8-0	\$45.20			
10-20-0		\$55.20	\$57.20	\$58.20
10-10-0		\$42.00	\$44.00	\$45.00
10-0-10	42.00			
6-30-0		\$57.20	\$59.20	\$60.20
6-12-0		\$36.20	\$38.20	\$39.20
6-8-4	36.20			
5-10-5	36.40	36.40	38.40	39.40
4-16-0	35.20	35.20	37.20	38.20
4-12-6	36.00	36.00	38.00	39.00
4-12-4	35.20	35.20	37.20	38.20
4-12-0		\$32.20		
4-10-0		\$30.00	\$32.00	\$33.00
4-8-12		\$38.20		
4-8-8	38.20	35.20	37.20	38.20
3-12-12	39.20			
3-0-18		\$41.40		
2-12-4		\$32.00		
0-14-7	31.00	31.00	33.00	34.00
0-12-12	33.20			
0-10-20		\$39.00		
0-45-0	56.00	56.00	58.00	59.00
0-20-0	27.00	27.00	29.00	30.00
0-19-0	27.20	27.20	29.20	30.20
0-18-0	26.00	26.00	28.00	29.00
0-0-60 Muriate	53.00	53.00	55.00	56.00
0-0-50 Muriate	47.00	47.00	49.00	50.00
0-0-48 Sulphate	57.00	57.00	59.00	60.00
0-0-21.5 Sulphate of potash-magnesia	47.00	47.00	49.00	50.00
0-0-30 Manure salts	34.00	34.00	36.00	37.00
0-0-25 Manure salts	32.00	32.00	34.00	35.00
0-0-22 Manure salts	29.00	29.00	31.00	32.00

¹ Texas only.

² Arkansas only.

³ Oklahoma only.

(b) *Special ingredients.* For specified quantities of the following ingredients, an extra charge may be added to the prices in (a) as follows: (except premium brands)

	Per unit
Potash from sulphate	\$0.40
Magnesium oxide from sulphate of potash-magnesia, seawater magnesium or similar source	1.00
	Per pound
Copper sulphate	\$0.10
Manganese sulphate, 65%	.05
Borax	.05
Iron sulphate	.04

(c) *Premium brands.* Add to the maximum prices in (a) differentials no greater in cents per ton than were in effect during the period February 16-20, 1942.

(d) *Bag differentials.*

Deduct \$0.55 per ton for 200-pound textile bags.
Deduct \$1.75 per ton for 100-pound paper bags.

(e) *Time prices.* Consumer's time prices are determined by dividing cash prices in

(a) by 9. Consumer's notes taken at time prices shall bear interest from May 1 at the rate of 8% per annum to maturity (10% per annum after maturity, Arkansas, Oklahoma, Texas and New Mexico only) until paid on all goods delivered prior to May 1 and from the first of the following month on all goods delivered thereafter.

(f) *Less carload lots.* For shipments in l. c. l. by rail, add the difference between c. l. and l. c. l. freight rates.

[Paragraph (f) added by Am. 1, effective 1-11-44]

SCHEDULE L—TENNESSEE

(a) Maximum consumer's delivered to railhead or agent's warehouse cash prices for goods in 125-pound textile bags.

Grade:	Price per ton
8-5-5	\$37.20
6-8-4	34.60
5-10-5	35.00
4-16-0	33.60
4-12-4	33.80
4-12-0	30.40
4-9-3	30.50
4-8-8	34.00
3-9-9	33.60
3-9-6	31.00
2-12-6	31.40
2-14-4	31.20
0-14-7	29.80
0-14-4	27.20
0-12-12	32.40
0-20-0	24.80
0-19-0	24.20
0-18-0	23.40
0-0-60 Muriate of potash	56.60
0-0-50 Muriate of potash	51.00
0-0-25 Manure salts	36.00
0-0-50 Sulphate of potash	61.00
0-0-21.5 Sulphate of potash-magnesia	51.00

(b) *Special ingredients.* For specified quantities of the following ingredients, an extra charge may be added to the consumer's cash prices in (a) as follows: (except premium brands)

	Per unit
Potash from sulphate	\$0.30
Magnesia from sulphate potash-magnesia, seawater magnesium or similar source	1.00
	Per pound
Copper sulphate	\$0.10
Manganese sulphate, 65%	.05
Borax	.05
Elemental sulphur	.035

(c) *Premium brands.* Add to the maximum prices in (a), differentials no greater in cents per ton than were in effect during the period February 16-20, 1942.

(d) *Bag differentials.*

Add 30¢ per ton for 100-pound textile bags.
Deduct 25¢ per ton for 200-pound textile bags.
Deduct \$1.45 per ton for 100-pound paper bags.

(e) *Time prices* are determined by dividing the cash prices by 9. Consumer's notes taken at time prices shall bear interest at the rate of 6% per annum from date of delivery until paid.

(f) *Less carload lots.* For shipments in l. c. l. by rail, add the difference between c. l. and l. c. l. freight rates.

SCHEDULE M—KENTUCKY

(a) Maximum consumer's delivered to railhead or agent's warehouse basis prices for goods in paper bags.

Grade:	Price per ton
10-6-4	\$42.10
6-8-6	37.30
5-10-10	40.40
4-16-0	34.90
4-12-8	38.30
4-12-4	34.90
4-12-0	31.50
4-10-6	34.90
3-12-12	39.60
3-9-6	32.00
2-14-4	32.60
2-12-6	32.60
0-20-20	51.10
0-20-10	39.60
0-14-14	37.00
0-14-7	31.10
0-14-4	28.60
0-12-12	33.50
0-45-0	54.50
0-20-0	26.00
0-19-0	24.70
0-18-0	23.40
0-0-60 Muriate of potash	55.90
0-0-50 Muriate of potash	50.40
0-0-48 Sulphate of potash	60.40
0-0-21.5 Sulphate of potash-magnesia	50.40

[Table as amended by Am. 1, effective 1-11-44]

(b) *Special ingredients.* For specified quantities of the following ingredients, an extra charge may be added to the consumer's delivered time prices in (a) as follows: (except premium brands)

	Per unit
Potash from sulphate	\$0.40
Magnesium oxide from sulphate potash-magnesia, seawater magnesium or similar source	1.00
	Per pound
Copper sulphate	\$0.10
Manganese sulphate, 65%	.05
Borax	.05
Elemental sulphur	.035

Ground tobacco stems, per cwt.:

In complete mixed fertilizers	\$0.30
In phosphate-potash mixtures	.50
In superphosphate	1.00

(c) *Premium brands.* These may take a price above the maximum prices in (a) no greater in cents per ton than was in effect during the period February 16-20, 1942.

(d) *Bag differentials.*

Add \$1.30 per ton for 167 or 200-pound textile bags.

Add \$1.60 per ton for 125-pound textile bags.

Add \$1.90 per ton for 100-pound textile bags.

(e) *Terms—(1) Discounts.* 5% for cash.

(2) *Time price.* Consumer's notes taken at basis prices shall bear interest at the rate of 6% per annum from delivery date until paid.

(f) *Less carload lots.* For shipment l. c. l. by rail, add the difference between carlot and less carlot freight rates.

SCHEDULE N—OHIO, INDIANA, MICHIGAN, ILLINOIS, WISCONSIN, IOWA, MISSOURI, MINNESOTA, NEBRASKA, KANSAS, NORTH DAKOTA, SOUTH DAKOTA, OKLAHOMA (COUNTIES OF CIMARRON, TEXAS, BEAVER, HARPER, WOODS, ALFALFA, GRANT, KAY, OSAGE, WASHINGTON, NOWATA, CRAIG, OTTAWA AND DELAWARE ONLY)

(a) Maximum consumer's delivered to railhead or agent's warehouse basis prices for goods in paper bags.

(1) Grade	Ohio	Indiana	Illinois	Michigan		Wisconsin
				S. P.	N. P.	
10-6-4	\$41.75	\$42.10	\$42.60	\$41.75	\$44.90	\$43.70
8-8-8	42.25	42.60	43.10	42.25	45.40	44.20
5-10-10	39.35					
4-16-4				37.65	40.80	
4-16-0	33.85	34.20	34.70	33.85	37.00	35.80
4-10-0	24.45	34.80	35.30	24.45	37.60	36.40
3-18-0	43.60	43.95	44.45	43.60	46.75	45.55
3-12-12	38.35	38.70	39.20	38.35	41.50	40.30
3-9-18	40.90	41.25	41.75	40.90	44.05	42.85
2-16-8		37.20	37.70	36.85	40.00	
2-12-6	31.95	32.30	32.80	31.95	35.10	23.90
0-20-20	50.85	51.20	51.70	50.85	54.00	52.80
0-20-10	40.95	41.30	41.80	40.95	44.10	42.90
0-14-14	35.45	35.80	36.30	35.45	38.60	37.40
0-14-7	30.20	30.55	31.05	30.20	33.35	32.15
0-12-12	32.65	33.00	33.50	32.65	35.80	34.60
0-10-20	37.35	37.70	38.20	37.35	40.50	39.30
0-9-27	42.40	42.75	43.25	42.40	45.55	44.35
0-45-0	56.00	56.70	57.60	56.00	59.50	58.35
0-20-0	27.00	27.30	27.70	27.00	30.00	28.80
0-19-0	25.65	25.65	26.35	25.65	28.65	27.40
0-18-0	24.30	24.60	25.00	24.30	27.30	26.00
0-0-60 Muriate	56.10	55.70	55.70	56.80	57.50	56.80
0-0-50 Muriate	50.70	50.30	50.30	51.40	52.40	51.40
0-0-50 Sulphate	60.70	60.30	60.30	61.40	62.40	61.40
0-0-21.5 Sulphate potash magnesia	50.70	50.30	50.30	51.40	52.40	51.40
0-0-25 Manure salts	35.70	35.30	35.30	36.40	37.40	36.40

(2) Grade	Missouri	Iowa	Minnesota	Nebraska	Kansas and Oklahoma	North and South Dakota
10-6-4	\$44.50	\$44.90	\$44.90	\$45.50	\$45.30	\$47.00
10-20-0			59.20	51.60		53.10
8-16-12			45.40			47.50
8-8-8				50.50		52.00
6-30-0			55.90			68.20
6-12-18					42.90	63.30
5-10-10	42.10		59.60			62.20
4-24-12			54.60			62.00
4-16-16		40.80		41.40		61.00
4-16-4	36.60	37.00	37.00	37.60	37.40	39.10
4-12-4	37.00	37.40	37.40	38.20	38.00	39.70
4-10-6	37.20	37.60	37.60	40.75	47.15	48.85
3-18-0	46.35	46.75	46.75	47.35	47.15	48.85
3-12-12	41.10	41.50	41.50	42.10	41.90	43.60
3-9-18	43.65	44.05	44.05	44.65	44.45	46.15
2-16-8		40.00				
2-12-6	34.70	35.10	35.10	35.70	35.50	37.20
0-30-15		60.25				
0-20-20	53.60	54.00	54.00	54.60	54.40	56.10
0-20-10	43.70	44.10	44.10	44.70	44.50	46.20
0-14-14	38.20	38.60	38.60	39.20	39.00	40.70
0-14-7	32.95	33.35	33.35	33.95	33.75	35.45
0-12-36		58.00				
0-12-24		47.20				
0-12-12	35.40	35.80	35.80	36.40	36.20	37.90
0-10-20	40.10	40.50	40.50	41.10	40.90	42.60
0-9-27		45.55	45.55	46.15	45.95	47.65
0-45-0	56.15	58.30	58.35	56.85	56.65	59.75
0-43-0				54.85		57.75
0-20-0	30.80	31.20	31.20	31.80	31.60	33.60
0-19-0	29.45	29.85	29.85	30.45	30.25	31.25
0-18-0	28.10	28.50	28.50	29.10	28.90	29.50
0-0-60 Muriate	56.70	57.20	57.80	57.80	57.80	60.00
0-0-50 Muriate	51.30	51.80	52.40	52.40	52.40	54.60
0-0-50 Sulphate	61.30	61.80	62.40	62.40	62.40	64.60
0-0-21.5 Sulphate potash magnesia	51.30	51.80	52.40	52.40	52.40	54.60
0-0-25 Manure salts	36.30	36.80	37.40	37.40	37.50	39.60

[Subparagraphs (1) and (2) as amended by Am. 1, effective 1-11-44]

(3) Differentials for western Nebraska, North Dakota and South Dakota.

Eastern Nebraska. Prices in (a) (2) apply to delivery east of and including counties of Dakota, Thurston, Burt, Dodge, Saunders, Lancaster, and Gage.

Central Nebraska. Add \$1.40 per ton for deliveries in counties west of the above and east of and including counties of Knox, Antelope, Boone, Nance, Merrick, Hill, Adams and Webster.

Western Nebraska. For territory west of counties listed in Central Nebraska, add excess carload rate of freight above \$5.00 from Chicago divided by .84 to the basis prices for Central Nebraska.

North Dakota. Prices in (a) (2) apply to delivery east of and including counties of Pembina, Walsh, Grand Forks, Cass, Richland and Traill.

South Dakota. Prices in (a) (2) apply to delivery east of and including counties of

McPherson, Falk, Edmunds, Hyde, Buffalo, Burle, and Charles Mix.

Western North and South Dakota. For territory west of counties listed above, add excess carload rate of freight above \$5.00 from Chicago divided by .82 to the basis prices for eastern North and South Dakota.

(b) **Special ingredients.** For specified quantities of the following ingredients, an extra charge may be added to the consumer's basis prices in (a) (1) and (2), as follows: (except premium brands)

Sulphate of potash..... Per unit \$0.40
Magnesium oxide from sulphate of potash-magnesia, seawater magnesium or similar source..... Per unit 1.00

Copper sulphate..... Per pound \$0.10
Manganese sulphate, 65%..... .05
Borax..... .05
Elemental sulphur..... .035

Ground tobacco stems, per cwt:

In complete mixed fertilizers..... \$0.30
 In phosphate-potash mixtures..... .50
 In superphosphate..... 1.00

(c) **Premium brands.** These may take a price above the maximum prices in (a) no greater in cents per ton than was in effect during the period February 16-20, 1942.

(d) **Bag differentials.**
 Add \$1.30 per ton for 167 or 200-pound textile bags.

Add \$1.60 per ton for 125-pound textile bags.

Add \$1.90 per ton for 100-pound textile bags.

(e) **Terms.** (1) Discounts. 5% for cash payment.

(2) Time prices. Consumer's notes taken at basis prices and dated the date of delivery, shall bear interest at the legal rate for the state.

(f) **Delivery.** For less carlot shipments, add the difference between the carload and less-than-carload rates of freight.

SCHEDULE O—WYOMING, COLORADO, UTAH, IDAHO, MONTANA, NEVADA

(a) Maximum consumer's cash price f. o. b. dealer's warehouse for goods in paper bags.

Grade:	Price per ton
17-7-0	\$74.20
17-4-4	68.20
12-12-0	54.20
11-22-0	68.20
10-18-5	63.30
10-16-3	62.20
10-12-14	62.00
10-20-0	61.00
6-30-0	64.00
4-24-4	57.20
4-24-0	54.40
4-12-4	44.00
0-12-20	47.20
0-43-0	52.00
0-18-0	30.50
0-0-60 Muriate	55.00
0-0-51 Sulphate	65.00
5-10-10	48.00
5-10-5	44.50
3-10-20	51.00
3-10-10	44.00

[Table as amended by Am. 1, effective 1-11-44]

(b) **Special ingredients.** For specified quantities of the following ingredients, an extra charge may be added to the prices in (a) above, as follows: (except premium brands)

Potash from sulphate..... Per unit \$0.30
Copper sulphate..... Per pound \$0.07
Manganese sulphate..... .06
Borax..... .05
Elemental sulphur..... .03
Zinc sulphate..... .05
Iron sulphate..... .04

(c) **Premium brands.** Add to the maximum prices in (a) differentials no greater in cents per ton than were in effect during the period February 16-20, 1942.

(d) **Bag differentials.**
 Add \$1.30 per ton for 167 or 200-pound textile bags.

Add \$1.60 per ton for 125-pound textile bags.

Add \$1.90 per ton for 100-pound textile bags.

(e) **Terms.** Add \$3.00 per ton to cash prices plus interest at the legal rate from date of delivery, for time prices.

(f) *Delivery.* Hauling expense in excess of \$1.00 per ton from rail delivery point to dealer's warehouse may be added to prices in (a).

SCHEDULE P—WASHINGTON AND OREGON

(a) Maximum consumer's basis prices f. o. b. factories Seattle, Tacoma or Portland for goods in 100-pound paper bags.

Grade:	Price per ton
17-12-0 ¹	\$71.00
17-4-4 ¹	63.80
12-12-0	59.75
10-16-8 ²	65.85
10-12-14	65.05
10-20-0	65.25
9-4-6	48.55
6-10-4	47.30
6-30-0	69.50
5-10-10	49.00
5-10-5	45.50
5-6-8	42.60
4-24-4 ²	59.80
4-24-0	57.00
4-16-0	47.00
4-12-4	44.80
3-10-20	51.00
3-10-10	44.00
0-12-20	46.00
0-43-0	54.70
0-18-0	31.50
0-0-60 Muriate of potash	50.40
0-0-51 Sulphate of potash	56.00

¹ Washington only.

² Oregon only.

(b) *Special ingredients.* For specified quantities of the following ingredients an extra charge may be added to the prices in (a) above, as follows: (except premium brands)

	Per unit
Potash from sulphate	\$0.40
Synthetic organic nitrogen	.75
Natural organic nitrogen	4.25

(c) *Bag differentials.*

Add \$1.30 per ton for 167 or 200-pound textile bags.

Add \$1.60 per ton for 125-pound textile bags.

Add \$1.90 per ton for 100-pound textile bags.

(d) *Premium brands.* Add to maximum prices in (a) above, differentials no greater in cents per ton than were in effect during the period February 16-20, 1942.

(e) *Terms.* (1) Discounts, 5% for cash payment. (C. O. D., cash with order or SD/BL).

(2) Time prices. To the prices in (a), add interest at the rate of 8% per annum after 30 days from date of delivery.

(f) *Deliveries—Less carlots.* For less carlots shipped by rail, for delivery to freight terminals add,

\$1.00 per ton on 5-ton lots

\$2.00 per ton on less than 5-ton lots.

SCHEDULE Q—CALIFORNIA AND ARIZONA

(a) Maximum consumer's delivered basic prices, full truck or carlots, for goods in 100-pound paper bags.

(1) *Column I—California.* Counties of Los Angeles, Orange, San Bernardino and western part of Riverside.

Column II—California. Counties of Imperial, San Diego, Ventura, Santa Barbara (except Cuyama Valley), Hemet and Indo districts of Riverside County.

Column III—California. Cuyama Valley only of Santa Barbara County, counties north of and including San Luis Obispo, Kern and Inyo.

Grade	Price per ton		
	I	II	III
6-10-12	\$43.10	\$44.10	\$44.60
2-10-8	43.40	44.40	44.90
4-6-8	43.60	44.60	45.00
4-10-10	50.00	51.00	51.50
4-12-4	45.60	46.60	47.40
4-16-0	46.10	47.10	47.60
4-18-18	67.20	68.20	68.70
6-12-5	40.20	50.20	50.70
6-14-9	55.60	56.60	57.10
6-9-6	49.20	50.20	50.70
6-10-4	48.20	49.20	49.70
6-12-8	54.60	55.60	56.10
8-0-12	50.10	51.10	51.60
8-4-8	52.60	53.60	54.00
8-8-4	50.60	51.60	52.00
8-10-12	61.10	62.10	62.60
10-6-5	52.75	53.75	54.25
10-8-10	58.00	59.00	59.50
10-10-0	53.00	54.00	54.50
10-10-4	58.25	59.25	59.75
10-12-10	65.70	66.70	67.20
10-16-8	68.00	69.00	69.50
10-20-0	64.00	65.00	65.50
12-6-0	53.10	54.10	54.60
12-0-14	61.20	62.20	62.70
14-0-8	59.40	60.40	60.90
17-7-0	65.50	66.50	67.00
0-18-0	27.75	28.75	29.25
0-43-0	52.00	53.00	54.00
0-47-0	56.00	57.00	58.00
0-0-51 Sulphate	57.00	58.00	58.50
0-0-60 Muriate	51.50	52.50	53.00

(2) Arizona.

Grade:	Price per ton
4-8-0	\$40.60
4-12-4	49.20
4-16-0	49.40
4-19-5	57.95
6-10-4	51.50
6-12-0	49.50
6-18-0	56.10
8-8-0	49.60
8-12-0	54.00
8-16-0	58.40
10-10-0	56.30
10-20-0	67.30
10-38-0	87.10
14-6-0	60.90
0-18-0	32.30
0-43-0	53.30
0-0-60 Muriate of potash	54.80
0-0-51 Sulphate of potash	60.30

[Subparagraph (2) as amended by Am. 1, effective 1-11-44]

(b) *Special ingredients.* For specified quantities of the following ingredients, an extra charge may be added to the prices in (a) (1) and (2), as follows: (except premium brands)

Synthetic organic nitrogen, \$0.75 per unit.

Natural organic nitrogen, \$4.25 per unit.

Deduct 25¢ per unit for Potash from Muriate.

Sulphur (Elemental), \$0.02 per pound.

Sulphur (Elemental), \$0.0375 per pound

Arizona only.

Copper sulphate ($\text{CuSO}_4 \cdot 5\text{H}_2\text{O}$), \$0.07 per pound.

Borax ($\text{Na}_2\text{B}_4\text{O}_7 \cdot 10\text{H}_2\text{O}$), \$0.05 per pound.

Zinc sulphate ($\text{ZnSO}_4 \cdot 7\text{H}_2\text{O}$), \$0.05 per pound.

Iron sulphate ($\text{FeSO}_4 \cdot 7\text{H}_2\text{O}$), \$0.04 per pound.

Aluminum sulphate ($\text{Al}_2(\text{SO}_4)_3 \cdot 18\text{H}_2\text{O}$), \$0.04 per pound.

Manganese sulphate ($\text{MnSO}_4 \cdot 4\text{H}_2\text{O}$), \$0.05 per pound.

Water-soluble magnesium oxide, \$0.80 per unit.

(c) *Premium brands.* Add to the maximum prices in (a) (1) and (2), differentials no greater in cents per ton than were in effect during the period February 16-20, 1942.

(d) *Bag differentials.*

Add \$1.30 per ton for 167 or 200-pound textile bags.

Add \$1.60 per ton for 125-pound textile bags.

Add \$1.90 per ton for 100-pound textile bags.

(e) *Terms.* (1) Cash discount. Deduct 5% for cash payment within 10 days of delivery.

(2) Time prices. Add legal rate of interest to the prices in (a) (1) and (2) after 30 days from date of delivery.

(f) *Delivery.* (1) Prices in (a) (1) and (2) are, at manufacturer's option, delivered to consumer's ranch in full truckloads or to consumer's nearest railway siding in full carloads, except that for deliveries by sellers located in California, freight to the consumer's ranch or railroad siding from the seller's nearest plant or operating warehouse, at the full truckload or the full carload rate, whichever is applicable, in excess of \$3.00 per ton may be for buyer's account. For deliveries by sellers located in Arizona freight in excess of \$1.50 per ton may be for the buyer's account.

(2) F. O. B. factory prices: California manufacturers electing to sell basis f. o. b. factory or warehouse shall deduct from prices in (a) (1):

\$1.00 per ton from prices in Column I.

\$2.00 per ton from prices in Column II.

\$2.50 per ton from prices in Column III.

(3) *Less truckload deliveries.* When delivery is made at buyer's option in less than full truckloads, there may be added to the prices in (a) (1) and (2) the difference between the less-than-truckload rate and the full truckload rate.

[Paragraph (f) as amended by Am. 1, effective 1-11-44]

SCHEDULE R—PUERTO RICO

(a) *Manufacturer's maximum prices to consumers.* A manufacturer's maximum prices to consumers shall be the prices set forth in the written or printed price schedule or list effective on October 15, 1941, denoted herein as the base period prices, subject to upward or downward adjustment as follows:

Beginning on April 1, 1943, and quarterly thereafter, a manufacturer's base period price may be increased or shall be decreased, net to the manufacturer, by the amount of the difference, if any, between (1) the manufacturer's average delivered-to-factory cost per unit of the ammonia, available phosphoric acid and potash received by him and the cost of the bags or containers used by him during the period July 1 to December 31, 1941, inclusive, and (2) the manufacturer's average delivered-to-the-factory cost of such materials received by him and bags or containers used by him during the three months' period last preceding the quarter annual adjustment date; if, during any such three months' period, no materials or bags were received by the manufacturer, then the average cost for the next preceding three months' period shall be applied in making the appropriate increase or decrease in his base period prices.

(b) *Dealer's maximum prices to consumers.* A dealer's maximum prices to consumers may not exceed by more than five per cent the maximum prices which the manufacturer might charge such consumers for the same kind of sale.

SCHEDULE S—VICTORY GARDEN AND SPECIALTY FERTILIZERS

(a) Victory garden fertilizer. (1) Maximum consumer prices shall be:

	Per package	
	Super-phosphate	Other kinds
In 100-pound packages:		
2,000 pounds or more.....	\$2.20	\$3.20
1,000 to 1,900 pounds.....	2.45	3.45
500 to 900 pounds.....	2.55	3.55
100 to 400 pounds.....	2.70	3.70
In smaller packages:	Each	Each
50-pound package.....	1.70	2.35
25-pound package.....	1.20	1.45
10-pound package.....	.65	.80
5-pound package.....	.45	.50

(2) Maximum prices delivered to dealers shall be:

	Per package	
	Super-phosphate	Other kinds
100-pound package.....	\$1.85	\$2.70
50-pound package.....	1.20	1.70
25-pound package.....	.85	1.05
10-pound package.....	.46	.55
5-pound package.....	.30	.35

(3) Where mixed fertilizer labeled "Victory Garden Fertilizer—For Food Production Only" is sold for use in the commercial production of crops, the maximum prices of such fertilizer provided in sections 1 and 2 hereinabove set forth shall not apply and the maximum prices shall be as provided in Article III, Maximum Price Schedules.

(b) Specialty fertilizers. (1) Maximum prices of specialty fertilizers sold and delivered to dealers shall be: (i) the prices set forth in the written or printed price schedule or list last issued by the manufacturer prior to February 21, 1942, and effective for any portion of the period from February 16, 1942 to February 20, 1942, inclusive, for the same brand of fertilizer, regardless of the kind of nitrogen or other fertilizer materials then mixed in that brand; or (ii) a price based on the following prices for a 3-8-7 grade with nitrogen derived entirely from natural organic nitrogen materials:

Size of package: ¹	Price per package
100-pound.....	\$3.10
50-pound.....	1.90
25-pound.....	1.15
10-pound.....	.56
5-pound.....	.35

¹ The price per pound in packages of any size other than those listed shall be no higher than the price per pound in the next larger size of package which is listed.

(2) For variations in nitrogen, available phosphoric acid and potash adjustments per package shall be made at the following rates:

Size of package	Price adjustment per unit	
	Total nitrogen	Available phosphoric acid or potash
100-pound.....	\$0.30	\$0.04
50-pound.....	.15	.02
25-pound.....	.075	.01
10-pound.....	.03	.00
5-pound.....	.015	.00

(3) When chemical nitrogen is used to replace organic nitrogen the prices established under (1) and (2) above shall be reduced at the rate of 20¢ per 100-pound package, 10¢ per 50-pound package and 5¢ per 25-pound package for each unit of nitrogen per ton derived from chemical rather than natural organic nitrogen materials.

(4) Each manufacturer shall continue to offer such quantity discounts, as were set forth in his written or printed price schedule last issued prior to February 21, 1942, and effective for any portion of the period from February 16, 1942, to February 20, 1942, inclusive.

(5) Maximum prices of specialty fertilizers for sales to consumers may be established by adding to the dealer's maximum prices established under (b) (1), (2) or (3) above:

(i) The percentage markup over the price to dealers as recommended in the written or printed price schedule last issued by the manufacturer prior to February 21, 1942, and effective for any portion of the period from February 16-20, 1942, inclusive; or

(ii) A markup of 40 per cent over the price to dealers as herein established if no recommended margin was provided in the price list in effect during the period from February 16, 1942 to February 20, 1942, inclusive.

NOTE: The reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 5th day of January 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-267; Filed, January 5, 1944;
4:32 p. m.]

PART 1416—COAL TAR PRODUCTS

[MPR 447,¹ Amdt. 2]

COAL TAR

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 447 is amended in the following respects:

1. Section 1 is amended to read as follows:

SECTION 1. *Prohibition against dealing in coal tar at higher than maximum prices.* On and after August 20, 1943, regardless of any contract or other obligation (except as provided in section 3a):

No producer shall sell or deliver coal tar in quantities of 50 gallons or more at a price higher than the maximum price established by this regulation;

No person shall buy or receive coal tar from producers in quantities of 50 gallons or more in the course of trade or business at a price higher than the maximum price so established; and

No person shall agree, offer, solicit, or attempt to do any of the foregoing.

2. A new section 3a is added to read as follows:

SEC. 3a. *Inapplicability of price regulation to transactions under certain types of contracts—(a) Participating contracts.* Nothing in this Maximum Price Regulation No. 447, or in the Gen-

¹ 8 F.R. 11383, 15673.

*Copies may be obtained from the Office of Price Administration.

eral Maximum Price Regulation, shall apply to sales or deliveries of coal tar pursuant to a participating contract: *Provided*, That within 30 days following the close of each calendar quarter, the buyer of any coal tar subject to such contract shall submit a written report to the Chemicals and Drugs Branch, Office of Price Administration, Washington, 25, D. C., containing the information required by paragraph (b) hereof.

"Participating contract" is defined in section 9 of this regulation.

(b) *Information required as a condition for exemption of transactions under participating contracts.* The report required by paragraph (a) hereof shall contain the following items of information:

(1) The name of the seller and the location of the seller's plant from which the coal tar was obtained.

(2) The total amount, in gallons, of coal tar purchased during the preceding calendar quarter.

(3) The price per gallon, if any, set forth in the participating contract as the base price to which adjustments are to be applied by the terms of such contract.

(4) The price per gallon for coal tar purchased during the calendar quarter as determined under the adjustment provisions of such contract. In the event that the contract calls for final adjustment and settlement at the end of a period longer than a calendar quarter, the report shall so state, indicating the duration of such longer period.

(5) In the event that final adjustment of price and settlement under a participating contract should cover a period longer than a calendar quarter, the report covering the calendar quarter in which such final adjustment and settlement is required to be made by the contract shall contain the information above required in subparagraphs (1), (2), (3) and (4) for such longer period.

(c) *Barter type contracts.* Exemptions from this Maximum Price Regulation No. 447 and the General Maximum Price Regulation may be authorized by the Office of Price Administration for transactions pursuant to contracts in which the seller of coal tar agrees to barter coal tar in return for fuel oil furnished to him by the buyer of the coal tar. Any such authorization may contain such terms or conditions as are deemed necessary or appropriate in order to comply with or effectuate the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order.

Such an authorization will be given only where it is necessary to promote distribution or production, and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. Specifically, the following will be required in this connection:

(1) Certification by the appropriate federal governmental agency in charge of supply that the supply of the coal tar in question is essential both as to volume and as to quality.

(2) Evidence that authorization will not result in the buyer's paying a total

consideration in return for coal tar in excess of an amount equivalent to the average price (weighted according to volume) of sellers of the same class, or the maximum price of the particular seller's nearest competitor of the same class, adjusted for any proved quality differences, whichever is lower. For the purpose of determining the total consideration paid, the fuel oil exchanged shall be valued at the maximum price applicable to deliveries thereof to the coal tar seller's plant.

3. Section 9 (a) is amended by adding the following paragraph at the end thereof:

"Participating contract" means a contract under which the seller's price for coal tar varies according to the revenue obtained by the buyer thereof from the sale of coal tar derivatives distilled by him.

This Amendment No. 2 shall become effective January 11, 1944.

NOTE: All reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 5th day of January 1944.
CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-263; Filed, January 5, 1944; 4:34 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS
[RMFR 183; Amdt. 19]

PUERTO RICO

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation 183 is amended in the following respects: 1. Section 21a is added to read as follows:

SEC. 21a. *Maximum prices for certain fruit juices packed in the Territory of Puerto Rico.*

"Fancy grapefruit juice" means grapefruit juice processed in such a manner as to prevent the mixing of citrus oil with the juice.

"Standard grapefruit juice" means all locally processed grapefruit juice other than fancy grapefruit juice.

*Copies may be obtained from the Office of Price Administration.

8 F. R. 9532, 10763, 10906, 11437, 11847, 12549, 10937, 12632, 13165, 13647, 14090, 14765, 15195.

2. Section 33a is added to read as follows:

SEC. 33a. *Maximum prices for canned fish sold or delivered in the Territory of Puerto Rico.*

TABLE 19A—MAXIMUM PRICES FOR CANNED FISH

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price
Sea-Sleeves:				Per unit
Portola (natural juice)	Case of 48/15 oz.	\$8.33	\$8.00	\$0.24
Pied-fer (natural juice)	Case of 48/15 oz.	9.30	10.10	.27
La Campagnola (natural juice)	Case of 48/15 kg.	16.70	18.00	.49
Mackerels:				
La Campagnola	Case of 24/14 kg.	10.60	11.50	.82
La Campagnola (fillet in oil)	Case of 60/315 grms.	29.35	31.50	.87
Blue Fish:				
La Campagnola	Case of 24/14 kg.	10.60	11.50	.82
Tuna Fish:				
Norolda (in oil)	Case of 48/210 grms.	18.45	20.00	.54
La Campagnola (in oil)	Case of 48/115 kg.	19.90	21.50	.58
La Campagnola (Red Label, in oil)	Case of 48/114 kg.	25.00	26.75	.72
La Campagnola (Yellow Label, in oil)	Case of 48/114 kg.	19.90	21.50	.58
La Campagnola (fillet in oil)	Case of 100/140 grms.	28.30	30.10	.39
La Campagnola (fillet in tomato)	Case of 24/112 kg.	16.60	17.90	.53
Mussels:				
Canot (natural)	Case of 48/114 kg.	11.30	12.20	.33
Sea Bream:				
La Campagnola (fillet in oil)	Case of 24/550 grms.	15.40	16.90	.90
Hake:				
La Campagnola (in oil)	Case of 48/114 kg.	13.40	14.40	.39
La Campagnola (in tomato)	Case of 48/114 kg.	13.40	14.40	.39
Cuttlefish:				
La Campagnola (natural)	Case of 48/114 kg.	16.80	18.10	.49
Clams:				
La Campagnola (natural)	Case of 48/114 kg.	10.60	11.45	.31
Anchovies:				
La Campagnola (fillet in oil)	Case of 100/100 grms.	25.65	27.40	.35
Pilchard:				
Natural	Case of 90/8 oz. can.	5.95	6.55	.09
Natural	Case of 48/11 tall can.	4.55	5.00	.14
Natural	Case of 100/5 oz. can.	5.25	5.80	.08
Tomato	Case of 90/8 oz. can.	6.20	6.80	.09
Tomato	Case of 48/11 oval can.	5.55	6.10	.16
Tomato	Case of 48/11 tall can.	4.95	5.45	.16
Tomato	Case of 100/5 oz. can.	5.35	5.90	.08

3. Section 42 Table 33b is added to read as follows:

TABLE 33b—MAXIMUM PRICES FOR GELATINE DESSERTS

	Sales at wholesale per dozen	Sales at retail per unit
Jello, all flavors	\$0.75	\$0.10
Royal, all flavors	.75	.10

4. Section 42 Table 33c is added to read as follows:

TABLE 33c—MAXIMUM PRICES FOR VINEGAR

Item and brand name	Unit	Price to wholesaler	Price at wholesale	Retail price per unit
Cider:				
Heintz	Case 24/16 oz. bottle	\$2.65	\$3.00	\$0.17
Heintz	Case 12/32 oz. bottle	2.25	2.50	.27
National Food Product Co.	5 gal. keg	3.10	3.40	.40
Wayne Product Co.	Case 24/12 oz. bottle	2.00	2.20	.12
Sterling Cider Co.	Case 4/1 gal. jugs	2.50	2.75	.59

5. Section 42 Table 33d is added to read as follows:

TABLE 33D—MAXIMUM PRICES FOR REFINED SALT

Item and brand name		Price to wholesaler	Price at wholesale	Retail price per unit
Table salt:				
Diamond Crystal.....	Ctn. of 24/26 oz. pkg.	\$1.80	\$2.00	\$0.11
Sterling.....	Ctn. of 24/26 pkg.	1.45	1.60	.09
Sterling.....	Ctn. of 36/11½ pkg.	1.35	1.50	.06
Carey's.....	Ctn. of 36/11½ pkg.	1.40	1.55	.06
Carey's.....	Ctn. of 24/26 pkg.	1.90	2.05	.11
Carey's Fine Salt.....	100# cot.	1.70	1.85	.03
Jefferson.....	Ctn. of 36/26 oz. pkg.	1.45	1.60	.06
Jefferson.....	Ctn. of 24/26 pkg.	2.00	2.20	.11
Jefferson.....	Ctn. of 36/11½ pkg.	1.35	1.50	.06
Jefferson.....	100# cot.	1.60	1.75	.03
Myle's.....	Ctn. of 24/26 pkg.	1.80	2.00	.11

This amendment shall become effective as of December 24, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 5th day of January 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-266; Filed, January 5, 1944;
4:31 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS
[MPR 288, Amdt. 17]

SPECIFIC MAXIMUM PRICES IN ALASKA

A statement of the considerations involved in the issuance of this amend-

ment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 288 is amended in the following respects:

1. Section 1418.363 (c) (1) is amended by adding a note to the table and subparagraphs (2), (3) and (4) are amended to read as follows:

NOTE: The maximum retail price for 89 and lower score butter shall be computed by deducting one cent per pound from the appropriate price set forth above.

(2) Maximum prices for 90-93 score butter in prints or rolls parchment wrapped and packed in brine sold at retail in the Territory of Alaska shall be:

	Price per pound sold out of the keg	25# keg, price per keg	30# keg, price per keg	50# keg, price per keg	55# keg, price per keg	60# keg, price per keg	100# keg, price per keg	112# keg, price per keg
Ketchikan.....	\$0.68	\$17.00	\$20.40	\$33.50	\$37.52	\$40.20	\$66.00	\$73.92
Wrangell.....	.68	17.00	20.40	33.50	37.52	40.20	66.00	73.92
Petersburg.....	.68	17.00	20.40	33.50	37.52	40.20	66.00	73.92
Juneau-Douglas.....	.68	17.00	20.40	33.50	37.52	40.20	66.00	73.92
Skagway-Haines.....	.68	17.00	20.40	33.50	37.52	40.20	66.00	73.92
Sitka.....	.68	17.00	20.40	33.50	37.52	40.20	66.00	73.92
Cordova.....	.70	17.50	21.00	34.50	38.64	41.40	68.00	76.16
Valdez.....	.70	17.50	21.00	34.50	38.64	41.40	68.00	76.16
Seward.....	.70	17.50	21.00	34.50	38.64	41.40	68.00	76.16
Kodiak.....	.70	17.50	21.00	34.50	38.64	41.40	68.00	76.16
Anchorage.....	.72	18.00	21.60	35.50	39.76	42.60	70.00	78.40
Palmer.....	.73	18.25	21.90	36.00	40.32	43.20	71.00	79.52
Points on Alaska R. R. north of Anchorage & south of Curry.....	.73	18.25	21.90	36.00	40.32	43.20	71.00	79.52
Curry & all points on Alaska R. R. north of Curry & south of Fbks.....	.76	19.00	22.80	37.50	42.00	45.00	74.00	82.88
Fairbanks.....	.76	19.00	22.80	37.50	42.00	45.00	74.00	82.88
Nome.....	.75	18.00	21.60	35.00	39.20	42.00	70.00	78.40

(3) For sales of fractions of a pound the maximum price shall be proportionately computed.

(4) The maximum retail price for all grades of butter sold in places other than those enumerated above shall continue to be established by Maximum Price Regulation 194, if imported, and by the General Maximum Price Regulation if produced in the Territory of Alaska.

*Copies may be obtained from the Office of Price Administration.

¹ 7 F.R. 10581, 11012; 8 F.R. 23, 567, 2158, 2445, 6964, 3344, 8184, 12549, 13166, 14305.

² 7 F.R. 5909, 6268, 5744, 8023, 8358, 8947, 9195, 10231, 10790, 11012; 8 F.R. 856.

³ 8 F.R. 3096, 3849, 4347, 4486, 4724, 4978, 4848, 6047, 6962, 8511, 9025, 9991, 11955, 13724.

2. Section 1418.363 (d) (1) is amended to read as follows:

(1) The maximum prices for hay produced in the Territory of Alaska and sold in the Territory of Alaska shall be \$42.50 per ton. For sales of different quantities the maximum price shall be computed proportionately.

This amendment shall become effective January 11, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 5th day of January 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-271; Filed, January 5, 1944;
4:37 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS
[MPR 373, Amdt. 31]

MAXIMUM PRICES IN THE TERRITORY OF HAWAII

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 373 is amended in the following respects:

1. The table following section 21 (c) (1) is amended by changing the item "Onions, red, yellow and white" to read "Onions, dry, all colors."

2. The table following section 21 (d) (1) is amended by changing the wholesale maximum prices for grapefruit, all sizes, from "\$4.80 per box" to "\$4.25 per box"; Apples, California Newton Pippin from "\$4.15 per box" to "\$4.40 per box"; Apples, North West Newton Pippin from "\$4.70 per box" to "\$5.20 per box"; Apples, Winesaps from "\$5.00 per box" to "\$5.20 per box"; Pears, Danjous from "\$8.80 per lug" to "\$11.35 per lug."

3. Section 22 (b) (8) is added to read as follows:

(8) $\frac{3}{4}$ cents per gallon for shipments by barge from Honolulu to Kawaihae.

4. Section 33 (b) is amended and (c) and (d) are added to read as follows:

(b) Maximum prices for sales at retail of packaged cosmetics, which packages have been marked "Retail ceiling price \$---- (MPR 393)" in accordance with the provisions of Maximum Price Regulation 393, as amended, shall be the prices so marked on such packages plus an amount equal to the actual cost of transportation to the territory of Hawaii.

(c) "Cosmetic" means any product intended to be rubbed, poured, sprinkled, or sprayed upon, or introduced into or otherwise applied to the human body or any part thereof for cleansing, beautifying, promoting attractiveness, or altering the appearance. "Cosmetic" does not include any product for internal or external use intended to be used for the diagnosis, cure, mitigation, or prevention of diseases of man or other animals, or any product whose label indicates it may be for such use. Soaps are not cosmetics, but as used herein, the term "cosmetic" includes shaving soaps and liquid shampoos.

(d) "Packaged" means packaged by or for a manufacturer in a package of a size and type customarily sold to an ultimate consumer.

5. Section 42 (b) (1) is amended by adding two new brands to the category "Scotch whiskies" to read as follows:

Scotch whiskies:	Maximum price per drink
John Crabbie.....	\$0.40
Findlators.....	0.40

6. The first item of section 42 (c) is amended by adding the words "John

¹ 8 F.R. 5388, 6359, 6849, 7200, 7457, 8064, 8550, 10270, 10666, 10984, 11247, 11437, 11849, 12299, 12703, 13023, 13342, 13500, 14139.

² 8 F.R. 6268, 12478, 12661.

Crabbie or Findlators" after the words "or Cutty Sark".

7. Section 47 (c) (3) is amended and (g) and (h) are added to read as follows:

(3) The maximum price for any article listed and described in subparagraph (a) (1) of this section which the retailer purchases from a mainland jobber or wholesaler shall be 1.50 times the sum of the wholesaler's or jobber's invoice price plus the amounts set forth in subdivisions (ii), (iii), (iv), (v), and (vi) of subparagraph (b) (2) of this section.

(g) *Maximum prices for assorted job lot merchandise.* In cases where a wholesaler or retailer purchases an assorted job lot of merchandise invoiced to him for a single or blanket price, he may make application to the Office of Price Administration for approval of his own allocation of the cost of such merchandise to the different articles involved. Such application shall show the resulting maximum wholesale or retail prices determined on the basis of such allocated costs.

(h) *Maximum prices for certain merchandise purchased at lower than manufacturer's maximum price.* In cases where a wholesaler or retailer purchases from a manufacturer or wholesaler located outside the Territory of Hawaii any article listed and described in subparagraph (a) (1) of this section, at a price lower than the manufacturer's maximum price and lower than a price which the purchaser previously paid for the same or similar merchandise, and where such lesser price was paid by reason of the size of the purchase or the seasonal nature of the goods, application may be made to the Office of Price Administration for a maximum price for resale of the merchandise, which maximum price is based upon the higher price previously paid to such manufacturer, and the appropriate multiple provided by the section. Any such application must be accompanied by the invoice for the goods in question and the invoice establishing the former higher price, or other evidence of a similar nature.

8. Section 52 (b) (6) is amended, (b) (9) and (c) (9) are added to read as follows:

(6) *Manufacturing-wholesalers and manufacturing-retailers.* The maximum price for sales at wholesale of any article listed and described in paragraph (a) of this section which the wholesaler or retailer makes or has made for him from materials owned by him shall be computed by multiplying the sum of the costs of manufacturing by 1.15. The costs of manufacturing shall include only: (i) the wholesale price of the material, which for the wholesaler shall be no higher than his maximum wholesale price for such material and for the retailer shall be the actual cost of the material to him which may in no case be higher than the wholesale price, (ii) the sewing charges as listed with this office under Maximum Price Regulation 20 of the Military Governor of the Territory of Hawaii or Maximum Price Reg-

ulation 165 of the Office of Price Administration, and (iii) the maximum price permitted under this regulation for any block prints which may be printed on the articles by or for the manufacturing-wholesaler or manufacturing-retailer.

(b) (9) *Allowance for block printing.* Where a wholesaler block prints or has block printed for him any article covered in this section he may, for the purpose of determining the maximum price under this regulation, add to the manufacturer's selling price the maximum price permitted by this regulation for such prints.

(c) (9) *Allowance for block printing.* Where a retailer block prints or has block printed for him any article covered in this section he may, for the purpose of determining the maximum price under this regulation, add to the manufacturer's selling price or wholesaler's selling price, depending on the source of purchase, the maximum price permitted by this regulation for such prints.

9. Section 53 (b) (6) is amended, (b) (9) and (c) (9) are added to read as follows:

(6) *Manufacturing-wholesalers and manufacturing-retailers.* The maximum price for sales at wholesale of any article listed and described in paragraph (a) of this section which the wholesaler or retailer makes or has made for him from materials owned by him shall be computed by multiplying the sum of the costs of manufacturing by 1.15. The costs of manufacturing shall include only: (i) the wholesale price of the material, which for the wholesaler shall be no higher than his maximum wholesale price for such material and for the retailer shall be the actual cost of the material to him which may in no case be higher than the wholesale price, (ii) the sewing charges as listed with this office under Maximum Price Regulation 20 of the Military Governor of the Territory of Hawaii or Maximum Price Regulation 165 of the Office of Price Administration, and (iii) the maximum price permitted under this regulation for any block prints which may be printed on the article by or for the manufacturing-wholesaler or manufacturing-retailer.

(b) (9) *Allowance for block printing.* Where a wholesaler block prints or has block printed for him any article covered in this section he may, for the purpose of determining the maximum price under this regulation, add to the manufacturer's selling price the maximum price permitted by this regulation for such prints.

(c) (9) *Allowance for block printing.* Where a retailer block prints or has block printed for him any article covered in this section he may, for the purpose of determining the maximum price under this regulation, add to the manufacturer's selling price or wholesaler's selling price, depending on the source of purchase, the maximum price permitted by this regulation for such prints.

10. Section 58 is added to read as follows:

SEC. 58. *Maximum prices for block printing and certain block printed arti-*

cles. (a) The maximum prices per print for block printing shall be as follows:

ON APPAREL ITEMS

Size of print (in square inches)	One color print	Two color print	Three or more color print
1-15.....	\$0.05	\$0.10	\$0.15
16-50.....	.10	.15	.20
51-100.....	.15	.20	.25
101-200.....	.20	.25	.30
201-400.....	.40	.45	.50
401-600.....	.60	.65	.70
Over 600.....	.90	1.00	1.20

ON OTHER ITEMS

Size of print (in square inches)	One color print	Two color print	Three or more color print
1-15.....	\$0.05	\$0.10	\$0.15
16-50.....	.10	.15	.20
51-100.....	.15	.20	.25
Over 100.....	.20	.25	.30

NOTE: The above prices are for finished work which includes drying and pressing of the items. The number of square inches in a print shall be determined by multiplying the width of the print by the length. Length and width shall be measured at longest and widest portions of the print.

(b) *Definitions.* (1) "Block printing" is the reproducing of a decorative design or pattern on cloth by means of a carved linoleum or zinc block.

(2) A "print" is complete design or pattern block printed on cloth.

(3) A "one color print" is a print of only one color, or of one or more shades of one color.

(4) A "two color print" is a print of two colors or of one or more shades of each of two colors.

(5) A "three or more color print" is a print of three or more colors, or of one or more shades of each of three or more colors.

(6) "Apparel items" include all dresses, robes, blouses, skirts, shirts, pinafores, jumpers, sun suits, negligees, gowns, pajamas, swim suits, and all other wearing apparel except accessories.

(7) "Other items" include all articles made of woven or knitted fabric but do not include "Apparel items".

(c) *Maximum manufacturer's-selling price for locally made block printed "other items".* The manufacturer's maximum selling price for any article described in subparagraph (b) (7) which the manufacturer block prints or has block printed for him shall be computed by multiplying by 1.15 the sum of the following amounts:

(1) An amount equal to the actual cost of the material, which in no case may be higher than the maximum price at wholesale for the material.

(2) An amount equal to the cost of cutting and fringing, which in no case may exceed 1¢ for every 15 inches of the perimeter.

(3) An amount equal to the cost of sewing, which in no case may exceed maximum prices therefor which have been filed with the Price Control Section of the Office of the Military Governor or the Office of Price Administration under Maximum Price Regulation No. 20 of the Military Governor of the Territory of Hawaii, or under Maximum Price Reg-

ulation No. 165 of the Office of Price Administration.

(4) An amount equal to the maximum prices permitted by the section for the print or prints on the item.

This amendment shall become effective as follows:

(a) As to section 21 (c) (1) and (d) (1), as of December 11, 1943.

(b) As to section 22 (b) (8) January 11, 1944.

(c) As to section 33 (b) (c) and (d), as of November 8, 1943.

(d) As to section 42 (b) (1) and (c), as of November 8, 1943.

(e) As to section 47 (c) (3), (g) and (h), as of November 15, 1943.

(f) As to section 52 (b) (6) (9) and (c) (9), as of November 18, 1943.

(g) As to section 53 (b) (6) (9) and (c) (9), as of November 18, 1943.

(h) As to section 58, as of November 18, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 5th day of January 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-264; Filed, January 5, 1944;
4:34 p. m.]

PART 1420—BREWERY, WINERY AND DISTILLERY PRODUCTS

[MPR 445, Corr. to Amdt. 10]

DISTILLED SPIRITS AND WINES

Amendment No. 10 to Maximum Price Regulation 445 is corrected in the following respects:

1. The introductory phrase in paragraph 9, reading "Section 1.7 (b) (1) (ii) is amended to read as follows:", is corrected to read "Section 1.7 (b) (2) (ii) is amended to read as follows:".

2. The introductory phrase in paragraph 10, reading "Section 1.7 (b) (2) (i) (b) is amended to read as follows:", is corrected to read "Section 1.7 (b) (3) (i) (b) is amended to read as follows:".

3. The introductory phrase in paragraph 12, reading "Section 1.7 (b) (2) (i) (h) is amended to read as follows:", is corrected to read "Section 1.7 (b) (3) (i) (h) is amended to read as follows:".

4. The introductory phrase in paragraph 13, reading "Sections 1.7 (b) (2) (ii), (iii) and (v) are amended to read as follows:", is corrected to read "Sections 1.7 (b) (3) (ii), (iii) and (iv) are amended to read as follows:".

This correction shall become effective January 11, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 5th day of January 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-272; Filed, January 5, 1944;
4:37 p. m.]

¹ 8 F.R. 11161, 11851, 13496, 13500, 13845, 14016, 14400, 15912, 16697, 16928.

No. 5—9

PART 1499—COMMODITIES AND SERVICES

[MPR 503]

WESTERN CONTRACT LOGGING SERVICES

A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

§ 1499.2252 *Maximum prices for Western contract logging services.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Maximum Price Regulation No. 503 (Western Contract Logging Services), which is annexed hereto and made a part hereof, is hereby issued:

AUTHORITY: § 1499.2252 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

MAXIMUM PRICE REGULATION 503—WESTERN CONTRACT LOGGING SERVICES

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8. Enforcement.
9. Licensing.
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11. Geographical applicability.

SECTION 1. *Sales of Western contract logging services at higher than maximum prices prohibited.* (a) On and after January 11, 1944, no person shall sell or provide Western contract logging services, and no person shall buy or receive contract logging services in the course of trade or business, at prices higher than the maximum prices fixed by this regulation; and no person shall agree, offer, or attempt to do any of these things.

(b) Prices lower than the maximum prices may be charged and paid.

SEC. 2. *What services are covered.* (a) This regulation covers under the term "logging services" all services in connection with the transportation and production of logs, bolts, pulpwood and other primary forest products, including all operations in connection therewith, such as hauling, road construction, felling, bucking, cutting, skidding, yarding, peeling, loading and reloading, etc. It also covers the transportation of gravel, building materials, machinery and the like when performed solely in connection with a logging operation. "Primary forest products" include all logs, bolts, pulpwood, chemical wood, posts, poles, piling, hewn railroad ties, mine materials (other than sawn), etc.; but does not include firewood. It includes booming and rafting when performed by the log producer but not when rendered as a separate service.

*Copies may be obtained from the Office of Price Administration.

(b) "Western" contract logging services means only those performed west of the 100th meridian in the continental limits of the United States, namely in Washington, Oregon, California, Nevada, Idaho, Utah, Arizona, Montana, Wyoming, Colorado, New Mexico, and the western portions of North Dakota, South Dakota, Nebraska, Kansas, Oklahoma and Texas.

(c) The term "contract logging service" covers only services rendered by independent contractors who do not own the stumpage. It does not include transactions where commodities, as distinguished from services, are sold; in that case, the ceiling on logs, pulpwood, etc., governs the transaction.

SEC. 3. *Maximum prices.* (a) The maximum prices on Western contract logging services shall be the difference between the ceiling price¹ on the logs, bolts, pulpwood or other primary forest products, and the stumpage cost of those items, compared at the delivery points specified in the appropriate regulations and on the basis of the same scale. For example, if the ceiling price on a given type of log is \$20.00 per M delivered to towable waters and the stumpage cost on the same scale rule is \$4.50 per M, the ceiling on the complete contract logging service of delivering logs from stump to towable waters would be \$15.50 per M; if under the contract only a portion of a service is rendered, such as loading, transportation, etc., the price of that portion shall not exceed the delivery point price minus stumpage (or, in this example, \$15.50) less all other costs of producing the logs from stump to delivery point.

(b) If more than one primary forest product is cut or where species or items of different value are cut, the total stumpage cost of each primary forest product, species, or species group, shall be determined in accordance with the usual bookkeeping practice of the buyer of the services. These amounts shall then be deducted from the total value at ceiling prices of each of those primary forest products or species. The remainders then constitute the ceiling price on the contract logging service for each item, species or different primary forest product. On lump sum transactions, however, the total stumpage cost may be deducted from the total estimated value at ceiling prices of all the primary forest products to be cut, and that remainder will represent the maximum lump sum amount which can be paid for the contract logging of all those products.

(c) Where only a portion of a complete logging service is rendered, as where only loading or transportation is performed, the cost of that portion when added to all other costs of logs delivered

¹ Where the transaction is subject to Maximum Price Regulation 348, but dollars-and-cents prices have not been established in the particular area, then the maximum price established under section 3 of that regulation. If there are no purchased log transactions, see paragraph (f) of section 3 of this regulation.

to the consuming mill or delivery point, including the stumpage cost, must not exceed the ceilings established on the logs or other primary forest products produced.

(d) Where more than one portion of a tract or holding in not more than four counties and belonging to a single owner is being operated by contract loggers, the test of paragraph (a) will be met if the total of all the logging contracts plus the total cost of all the stumpage being cut does not exceed the total value at the applicable ceilings of the products into which the stumpage is made.

(e) "Stumpage cost" means the actual cost or book value of the timber being cut. "Stumpage" means all timber (whether green or dead, standing or down) of all species, classes and sizes, which has not been severed from the stump. In cases where only portions of larger tracts are being cut, the buyer of the service may allocate a value to the particular portion in accordance with his usual bookkeeping practice. The portions so allocated, however, must "average-out" so that the value assigned the whole tract is not less than actual cost or book value.

(f) If there are no specific maximum prices on any of the logs, bolts, pulpwood, chemical wood or other primary forest products, and no maximum price can be computed under Maximum Price Regulation 284, Revised Maximum Price Regulation 161 or section 3 of Maximum Price Regulation 348, the buyer and seller should join in requesting the Lumber Branch, Office of Price Administration, Washington, D. C., to establish a contract logging price. The Lumber Branch may establish the maximum price by letter or telegram.

(g) Any contracts on a formula, percentage or any basis other than a specific price, must contain a maximum limitation which meets the requirements of this section.

(h) The buyer of the service must file the report required by section 6 (b) covering each contract for logging services as defined herein.

SEC. 4. Revision of contracts. The Lumber Branch may, at any time during the continuance of the contract, require its revision, if it appears that the price established does not meet the test of section 3 or that the stumpage cost assigned by the buyer of logging services is abnormally low in relation to current market values, and that this abnormality results in a contract logging maximum price as high as to cause a shortage of contract logging services for other buyers requiring these services. Before such action is taken, the parties shall be given 15 days' notice in order that they may have an opportunity to file objections to the proposed revision.

SEC. 5. Previous contracts. Any contracts on logging services either established or adjusted under Maximum Price Regulation No. 165, prior to the effective date of this regulation remain in effect in accordance with their terms until and unless revised under section 4. A report covering each such contract as required by section 6 (b) shall be filed by the

buyer of the service within 10 days of the effective date of this regulation.

SEC. 6. Records and reports. (a) All buyers of contract logging services must keep a record of the name and address of the contractors used, the price established, location of operation involved, actual stumpage cost and all other costs assigned to the particular tract or portion being cut under the contract, as well as copies of the contracts. These records must be kept for so long as the Emergency Price Control Act remains in effect, for inspection by the Office of Price Administration.

(b) Buyers of contract logging services shall file with the Lumber Branch, Office of Price Administration, Washington, D. C., one copy of Form 675-678 for each logging contract made. In the case of contracts existing when this regulation takes effect, the form shall be filed within 30 days of that effective date. As to all contracts made after this effective date, the form shall be filed within 15 days of the date of execution of the contract.

SEC. 7. Petitions for amendment. Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, issued by the Office of Price Administration.

SEC. 8. Enforcement. Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions and suits for treble damages provided for by the Emergency Price Control Act of 1942.

SEC. 9. Licensing. The provisions of Licensing Order No. 1,² licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 10. Prohibited practices—(a) General. Any practice which is a device to obtain the effect of a higher-than-ceiling price without actually raising the price is as much a violation of this regulation as an outright overceiling price. This applies to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying agreements, trade understandings, and the like.

(b) The following is among the specific practices prohibited:

(1) Attempting to evade this regulation by selling stumpage to the contractor at less than a fair market value and repurchasing it in the form of logs, pulpwood, or other primary forest products.

SEC. 11. Geographical applicability. This regulation applies in so much of the 48 states of the United States and the District of Columbia as lies west of the 100th meridian.

This regulation shall become effective January 11, 1944.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 5th day of January 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-273; Filed, January 5, 1944;
4:37 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 490,³ Amdt. 3]

EDIBLE TREE NUTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 490 is amended in the following respects:

1. Section 2 (a) (10) is added to read as follows:

(10) "Net delivered cost" means the amount the seller pays for the item being priced (in a purchase which is customary for him in quantity, type of supplier, receiving point and means of transportation), less all discounts allowed him except the discount for prompt payment. However, the expense of local trucking or unloading is not included.

2. Section 8 (e) is redesignated section 9 and is amended to read as follows:

SEC. 9. Sales by wholesalers and retailers—(a) In-shell items. (1) The maximum price in each case for the in-shell items listed in section 8 (b), in sales by wholesalers, is the seller's net delivered cost of the most recent delivery to him before January 5, 1944, of the item being priced, multiplied by 1.15.

(2) The maximum price in each case for the in-shell items listed in section 8 (b), in sales by retailers who customarily purchase from wholesalers or wagon wholesalers, is the seller's net delivered cost of the first delivery to him after January 5, 1944, of the item being priced, multiplied by 1.35. Until that time, his maximum price is his maximum price in effect just prior to January 3, 1944.

For retailers who customarily purchase from persons other than wholesalers and wagon wholesalers, the seller's maximum price in each case is his net delivered cost of the most recent delivery to him before January 5, 1944, of the item being priced, multiplied by 1.35.

(3) In any case where a wholesaler's or retailer's customary type of supplier of the item being priced is another wholesaler or retailer, as the case may be, his maximum price shall not exceed his supplier's maximum price.

(4) For any item of which a wholesaler or retailer has not received a delivery before January 5, 1944, the maximum price shall be his net delivered cost of

*Copies may be obtained from the Office of Price Administration.

¹ 8 F.R. 14979, 15259.

² 8 F.R. 13240.

the first delivery of the item on or after that date, multiplied by the applicable mark-up.

(b) *Shelled, roasted, or salted items.*

(1) The maximum price in each case for the shelled, roasted or salted items listed in section 8 (b), in sales by wholesalers and retailers, is the highest price charged by the seller for the item to the same class of purchasers (as explained in section 8 (c), above) during the period October 25 to October 30, 1943, inclusive.

(2) If any seller named in the preceding paragraph did not deliver or offer to deliver the item being priced during the period October 25 to October 30, 1943, his maximum price shall be his net delivered cost of the first delivery of the item to him after that period, plus the difference between his net delivered cost and his selling price for the most closely comparable item which he sold during that period to the same class of purchasers (converted to the same selling unit) or, if he did not sell a comparable item, the highest price charged for the same item during that period by the most closely competitive seller to a purchaser of the same class.

3. Section 8 (f) is redesignated section 8 (e).

4. Section 8 (g) is redesignated section 8 (f) and is amended to read as follows:

(f) *Sales by wagon wholesalers.* (1) The maximum price which a wagon wholesaler may charge for an item is the net delivered cost of the most recent delivery to him before January 5, 1944, (or if none, then the first delivery) of the item being priced, multiplied by 1.25.

(2) A "wagon wholesaler" is one who purchases the item being priced and distributes it to retailers or to commercial, industrial or institutional users from an inventory stocked in trucks or other conveyances which are under the supervision of driver salesmen who make delivery at the time and place of sale.

5. Section 9 is redesignated section 10, and paragraph (c) thereof is deleted.

6. Section 10 is redesignated section 11.

This amendment shall become effective January 5, 1944.

(56 Stat. 23, 765; Pub. Law 151; 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 5th day of January 1944.

CHESTER BOWLES,
Administrator.

Approved: January 4, 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-262; Filed, January 5, 1944;
4:34 p. m.]

PART 1396—FINE CHEMICALS, DRUGS AND
COSMETICS
[MPR 278, Amdt. 2]

TOTAQUINA AND TOTAQUINA PRODUCTS

A statement of the considerations involved in the issuance of this amend-

ment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 278 is amended in the following respects:

1. Section 1396.305 is amended to read as follows:

§ 1396.305 *Notification.* On and after January 1, 1944, every seller, other than a retailer, shall supply each purchaser before or at the time of that purchaser's first purchase of totaquina or any totaquina product, with a notification form containing a full copy of § 1396.317, as amended, maximum prices for totaquina powder, totaquina capsules, and totaquina tablets, to which is added the following statement:

The Office of Price Administration requires that you keep this information available for examination. Copies of Maximum Price Regulation No. 278 may be obtained from the Office of Price Administration.

Such notification may be discontinued after July 1, 1944.

2. Section 1396.317 is amended to read as follows:

§ 1396.317 *Appendix A: Maximum prices for totaquina powder, totaquina capsules and totaquina tablets.* Maximum prices are f. o. b. seller's shipping point, containers included. Maximum prices for sales in intermediate size containers or quantities shall be the price per unit applicable to the next larger size container or quantity.

Container size	A Sales other than sales to retailers or at retail	B Sales to retailers	C Sales at retail
(a) <i>Totaquina powder:</i>			
50 oz. (avd) or more per oz.	\$0.52	\$0.60	-----
25 oz. per oz.	.53	.61	-----
5 oz. per oz.	.55	.72	\$1.20
1 oz. per oz.	.56	.73	1.22
1/2 oz. per oz.	.62	.80	1.34
1/4 oz. per oz.	.74	.96	1.60
1/8 oz. per oz.	.90	1.20	2.00
4 drachms (apoth. wt.)	-----	-----	.75
2 drachms	-----	-----	.45
1 drachms	-----	-----	.30
30 grains	-----	-----	.20
20 grains or less	-----	-----	.15
(b) <i>Totaquina capsules,</i>			
(1) <i>5 grains:</i>			
1,000 or more, per 1,000	9.00	10.80	18.00
500, per 500	4.75	5.70	9.50
100, per 100	1.00	1.20	2.00
50, per 50	.60	.72	1.20
36, per 36	-----	-----	.90
24, per 24	-----	-----	.65
12, per 12	-----	-----	.35
6, per 6	-----	-----	.20
1, per 1	-----	-----	.04
(2) <i>5 grains:</i>			
1,000 or more, per 1,000	6.50	7.80	13.00
500, per 500	3.50	4.20	7.00
100, per 100	.75	.90	1.50
50, per 50	-----	-----	.90
36, per 36	-----	-----	.65
24, per 24	-----	-----	.50
12, per 12	-----	-----	.30
6, per 6	-----	-----	.15
1, per 1	-----	-----	.03
(c) <i>Totaquina tablets:</i>			
(1) <i>5 grains:</i>			
1,000 or more, per 1,000	7.50	9.00	15.00
500, per 500	4.00	4.80	8.00
100, per 100	.88	1.05	1.75
50, per 50	.50	.60	1.00

*Copies may be obtained from the Office of Price Administration.

Container size	A Sales other than sales to retailers or at retail	B Sales to retailers	C Sales at retail
(c) <i>Totaquina tablets—Con.</i>			
(1) <i>5 grains—Con.</i>			
36, per 36	-----	-----	\$0.75
24, per 24	-----	-----	.55
12, per 12	-----	-----	.30
6, per 6	-----	-----	.15
1, per 1	-----	-----	.03
(2) <i>5 grains:</i>			
1,000 or more, per 1,000	\$5.25	\$6.30	10.50
500, per 500	2.88	3.45	5.75
100, per 100	.65	.78	1.30
50, per 50	-----	-----	.75
36, per 36	-----	-----	.55
24, per 24	-----	-----	.40
12, per 12	-----	-----	.25
6, per 6	-----	-----	.15
1, per 1	-----	-----	.03

(d) *Sales to physicians, nurses, hospitals and clinics.* Maximum prices for sales to physicians, nurses, hospitals and clinics shall be the maximum prices set forth in column C above, subject to customary discounts and allowances applicable to sales of comparable products to purchasers of the same classes.

(e) *Sales by the Defense Supplies Corporation.* The maximum price for sales by the Defense Supplies Corporation in any quantity to any buyer shall be 42 cents per ounce.

This amendment shall become effective January 5, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 5th day of January 1944.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 44-269; Filed, January 5, 1944;
4:31 p. m.]

PART 1439—UNPROCESSED AGRICULTURAL
COMMODITIES

[RMPR 487]

WHEAT

Maximum Price Regulation No. 487 is redesignated Revised Maximum Price Regulation No. 487 and is revised and amended to read as follows:

The original regulation covered soft wheat. This revision applies to all wheat. The maximum prices herein established are fair and equitable, and will reflect to producers of wheat the highest of the prices required by the provisions of the Emergency Price Control Act of 1942, as amended, and by Executive Order 9250, and have been approved and directed by the Director of Economic Stabilization pursuant to section 5 of Executive Order No. 9328.

Such specifications and standards as are used in this regulation have previously been promulgated and their use lawfully required by another Government agency. A statement of the considerations involved in the issuance of this regulation has been issued simul-

18 F.R. 14986.

taneously herewith and has been filed with the Division of the Federal Register.*

In fixing the maximum prices established by this regulation, the Price Administrator has given adequate weighting to farm labor. So far as practicable, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

§ 1439.353 *Maximum prices for sales of wheat.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9328, Revised Maximum Price Regulation No. 487 (Wheat) which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1439.353 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

REVISED MAXIMUM PRICE REGULATION No. 487—WHEAT

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SECTION 1. *Applicability.* (a) Except as provided in paragraphs (b), (c) and (d) hereof, this regulation shall apply to all sales and deliveries (whether immediate or future) of wheat in the District of Columbia and the 48 states of the United States.

(b) Any contract entered into while the original Maximum Price Regulation No. 487 was in effect may be performed according to its terms if such contract complies with the provisions of said original Maximum Price Regulation No. 487.

(c) This regulation shall not apply to any contracts for the sale or delivery of wheat entered into prior to the effective date of this Revised Maximum Price Reg-

ulation No. 487 which were not subject to the original Maximum Price Regulation No. 487.

(d) This regulation shall not apply to sales of wheat for feed.

SEC. 2. *Effect of maximum prices.* (a) While this regulation is in effect, regardless of any contract or obligation, no person shall in the course of trade or business sell, deliver, buy or receive wheat at prices above the maximum prices established by this regulation nor shall any person agree, offer, solicit or attempt to do any of the foregoing.

(b) However, prices lower than the maximum prices established by this regulation may be charged and paid.

SEC. 3. *Definitions.* (a) When used in this regulation the term:

(1) "Wheat" means the grain of that name as defined in the official Grain Standards of the United States. Where reference is made to classes and grades of wheat herein the official Grain Standards of the United States shall apply. As used herein the term "Wheat" also includes certain mixed grain as herein-after indicated.

(2) "Bushel" as a unit of measurement of wheat means 60 pounds of wheat net weight.

(3) "Person" means an individual, corporation, partnership, association or other organized group of persons or the legal successor or representative of any of the foregoing; and includes the United States or any other government or any political subdivision or agency of any of the foregoing.

(4) "Commission merchant" means a person who receives wheat at one of the cities hereinafter named on behalf of the owner. He arranges for the sampling, inspection or weighing of the wheat and negotiates a sale thereof in carload quantities on a recognized grain exchange in any of the following cities, to wit:

Chicago, Ill.	Milwaukee, Wis.
Peoria, Ill.	Dallas, Tex.
Kansas City, Mo.	Fort Worth, Tex.
St. Joseph, Mo.	Enid, Okla.
St. Louis, Mo.	Sioux City, Iowa.
Indianapolis, Ind.	Hutchinson, Kans.
Omaha, Nebr.	Salina, Kans.
Philadelphia, Pa.	Baltimore, Md.
Minneapolis, Minn.	Buffalo, N. Y.
Duluth, Minn.	Wichita, Kans.
	New York, N. Y.

No person can be a commission merchant as to wheat owned by him. No more than one such sale shall be made on any one of said exchanges.

(5) "Producer" means a person who grew or harvested the wheat in question and also includes any landowner receiving a lot of wheat in lieu of rent or any farmer or trucker who procured the wheat from its producer. A producer shall be deemed to be acting in that capacity in selling wheat to any country shipper or to any person at the farm where grown or harvested and in making any other sale of wheat except at a different level of marketing as provided in section 12 hereof.

(6) "Country shipper" means a person regularly engaged in the purchase of

wheat from producers which he places in storage facilities such as an elevator or warehouse or loads in a railroad car or barge or vessel at any point. A country shipper shall be deemed to be acting in that capacity in selling wheat in carload quantities:

(i) Through brokers or commission merchants;

(ii) In store at said facilities or loaded in a railroad car or barge or vessel where delivered to the purchaser prior to movement; and

(iii) In making any other such sale of wheat except at a different level of marketing as provided in section 12 hereof.

(7) "Merchandiser" means any person selling wheat other than a person acting in the capacity of producer, country shipper, broker or commission merchant.

(8) "Broker" means a person who, acting for the account of either seller or buyer, negotiates a sale or purchase of wheat in carload quantities for such seller or buyer on a brokerage basis. No broker shall represent both seller and buyer in a given single transaction. No person can be a broker as to wheat owned by him.

(9) "Carload quantity" means a lot of wheat of 60,000 pounds or more: *Provided*, That a lot of wheat of 30,000 pounds or more shipped in a mixed, pool, or bulkhead car or a lot of wheat of any quantity shipped in a clean up car shall be considered a carload quantity.

(10) "Less than carload quantity" means a lot of wheat of less than 60,000 pounds except mixed, pool, bulkhead, or clean up car lots above included in carload quantities. It includes truck quantities.

(11) "Interior point" means any place outside the corporate and railroad switching limits of any terminal city.

(12) "Interior rail point" means any interior point having facilities for the loading or unloading of railroad freight cars.

(13) "Terminal city" means any place within the corporate or railroad switching limits of the cities hereinafter so designated.

(14) "Wheat for feed" means any wheat intended by both seller and buyer for use in feeding animals or poultry.

(15) "Transportation cost" means the cost of transportation actually incurred after deducting any transportation subsidy received by the shipper, but it shall not exceed:

(i) Where shipment has been made by rail in carload quantities, the lowest carload rail rate for the shipment or billing applied between the two points in question, including any applicable transportation tax.

(ii) Where shipment is by barge or lake vessel, the lowest water freight rate published as provided by law between the two points in question, including any applicable transportation tax plus marine insurance and outturn insurance.

(iii) In any other case where shipment is made by common carrier the lowest applicable common carrier rate between the two points in question, including any applicable transportation tax.

*Copies may be obtained from the Office of Price Administration.

(iv) If the conveyance used is not a common carrier, $1\frac{1}{2}$ ¢ per bushel for the first 5 miles and $\frac{1}{4}$ cent for each five miles or fraction thereof of the haul, the distance to be determined by the shortest one-way route between the two points in question reasonably suited for truck travel.

(v) Where the movement is by two or more of the foregoing methods of transportation the sum of the minimum cost provided in subdivisions (i), (ii), (iii) or (iv) for the distance travelled by each method of transportation.

(16) "Area A" includes the following states: Kansas, Oklahoma, Texas, South Dakota, North Dakota, Montana, Kentucky, Wyoming, Idaho, Utah, Nevada, Washington, Tennessee (except the area east of the western boundaries of Campbell, Anderson, Roane, Rhea and Hamilton Counties), Oregon, California, Minnesota, Iowa, Missouri, Nebraska, Arkansas, Louisiana, Wisconsin, Illinois, Michigan, Indiana, Ohio, Pennsylvania, New York, Maryland (except the Eastern Shore south of a line drawn east and west through Chesapeake City), Colorado east of the western boundaries of Larimer, Boulder, Gilpin, Clear Creek, Park, Fremont, Custer, Huerfano and Las Animas counties.

(17) "Missouri River Markets" includes Kansas City, Missouri; Kansas City, Kansas; Atchison, Kansas; St. Joseph, Missouri; Omaha, Nebraska; Council Bluffs, Iowa; Sioux City, Iowa.

SEC. 4. *Maximum prices of producers.* (a) The maximum price for any sale of wheat, bulk, by the producer shall be the maximum price specified in the Appendix A at the terminal city or interior point where delivered to the purchaser, less 3 cents per bushel.

(b) Where wheat is sold and delivered at the farm where grown, if the purchaser performs any services connected with the growing, harvesting, or assembling at a point on the farm where available for ready transportation from the farm, the reasonable value of all such services must be deducted from the appropriate maximum price hereinbefore set forth.

SEC. 5. *Maximum prices of country shippers.* The maximum price for the sale of any wheat, bulk, by a country shipper shall be the maximum price specified in Appendix A at that terminal city or interior rail point where delivered to the purchaser.

SEC. 6. *Maximum service charge of commission merchants.* (a) Notwithstanding any other law or regulation, the maximum service charges for the services of a commission merchant in connection with any sale of any wheat shall be $1\frac{1}{2}$ cents per bushel. This service charge shall be in addition to the appropriate maximum price of the wheat so sold.

(b) Every seller who paid any service charge under this section may add the same in computing his maximum prices for any sale.

SEC. 7. *Maximum service charge of brokers.* (a) Notwithstanding any other law or regulation, the maximum service charge for the services of a broker in

connection with any sale or purchase of any wheat shall be $\frac{1}{2}$ cent per bushel. This service charge shall be in addition to the appropriate maximum price of the wheat so sold or purchased.

(b) No seller who paid a brokerage hereunder may add said brokerage in computing his maximum price for any sale.

SEC. 8. *Maximum prices of merchandisers.* (a) The maximum price for the sale of any wheat other than wheat for feed, bulk, in any quantity, by any merchandiser to any person, shall be calculated by adding $1\frac{1}{2}$ cents (maximum markup) to the merchandiser's basic maximum price calculated under paragraph (c) of this section.

(b) The maximum price for the sale of any wheat for feed, bulk, in any quantity, by any merchandiser to any person shall be calculated by adding one of the following maximum markups to the merchandiser's basic maximum price calculated under paragraph (c) of this section:

(1) $1\frac{1}{2}$ cents per bushel for sales in carload quantities.

(2) 3 cents per bushel for sales in less than carload quantities of 100 bushels or more.

(3) 6 cents per bushel for sales of less than 100 bushels.

(c) The merchandiser's basic maximum price above referred to shall be calculated as follows:

(1) The formula price specified in Appendix A at that terminal city or interior rail point where delivered to the purchaser, plus all permitted charges and increases (other than transportation costs) previously added thereto; or as an alternative in the case of a sale in a less than carload quantity, the formula price specified in Appendix A at the terminal city or interior point where such seller took delivery of the wheat in question, plus (in addition to all permitted charges and markups previously added thereto, other than transportation costs) transportation charges actually incurred by the seller from said terminal city or interior point at which he took delivery of the wheat in question to the point where he delivered the same to his buyer.

(d) Irrespective of the number of merchandisers or commission merchants who may have handled the wheat in question, the maximum price to the purchaser shall not be increased by the addition of markups or service charges under this section and under section 6 hereof (whether singly or combined) to a greater extent than:

(1) In the case of any wheat other than wheat for feed:

(i) $\frac{1}{2}$ cents per bushel.

(2) In the case of wheat for feed:

(i) $\frac{1}{2}$ cents per bushel for sales in carload quantities.

(ii) $7\frac{1}{2}$ cents per bushel for sales in less than carload quantities of 100 bushels or more.

(iii) $13\frac{1}{2}$ cents per bushel for sales in less than carload quantities of less than 100 bushels.

SEC. 9. *Increases for handling.* (a) Where any wheat is received at a com-

mercial warehouse or elevator in carload quantities, unloaded into the same and also loaded out in carload quantities, the appropriate maximum price of the seller as above set forth may be increased by 1 cent per bushel.

(b) Irrespective of the number of such handlings of the wheat in question the maximum price to any purchaser shall not be increased by additions under this section of more than 2 cents per bushel.

(c) This section shall have no application to any wheat purchased by the seller from a producer under section 4 hereof at such elevator or warehouse and no increase for handling shall be permissible in such case.

SEC. 10. *Increases for sacks and sacking.* (a) Where any seller sells wheat sacked and furnishes both the sacks and sacking, the foregoing maximum prices for a like sale in bulk may be increased by the reasonable value of the sacks (not exceeding any maximum price established thereon) plus, except where the seller is the producer, 3 cents per bushel for the sacking.

(b) Where any seller other than a producer sells wheat sacked after furnishing the service of sacking (but not the sacks) the foregoing maximum prices for a like sale in bulk may be increased by 3 cents per bushel for the sacking service.

SEC. 11. *Storage and carrying charges.* (a) In addition to the appropriate maximum prices for wheat, a storage and carrying charge, not exceeding $1/25$ th of a cent a day per bushel may be charged by a seller from the date of the expiration of free time, under a contract of sale, to the date selected by the buyer as the date on which shipment shall be made, or the date on which shipment is actually made, whichever is earlier: *Provided*, That the seller may in all cases have five days from the date of receipt of instructions within which to make shipment, and may charge carrying charges accordingly.

(b) For any resale, the maximum price of the seller shall not be increased for any such carrying charge previously paid by him in connection with his purchase of the wheat in question.

(c) This section shall have no application to wheat stored or remaining on the farm where grown.

SEC. 12. *Transfers between distinct branches of a business performing several marketing operations.* (a) This regulation in speaking of a sale or purchase by a given person includes, in the case of a business performing several marketing operations, transfers without passage of title or payment of consideration, between distinct branches or units of such business comprising separate and segregated levels of marketing. Thus, by way of illustration only, a country shipper acting in that capacity may sell wheat grown by him at the maximum price established for country shippers; or a merchandiser acting through different units of such business may receive more than one markup under section 8 hereof as hereinafter provided.

(b) However, where a seller makes a sale at the maximum price for a given class of seller, where he would also qual-

ify to make a sale to a like purchaser at a lower maximum price as a different class of seller, the burden shall always rest upon him to establish by clear evidence that said sale was in the regular course of his conduct of a distinct and segregated branch or unit of his entire business which branch has corresponding facilities and performs like services and functions as independents perform who belong to that class of seller. For the purposes of this regulation only one producer branch and one country shipper branch shall be recognized in any single business performing several marketing operations, but each merchandiser branch, constituted as a distinct and segregated branch or unit, may take one of the permitted merchandiser's mark-ups and no more.

SEC. 13. Sales by the Commodity Credit Corporation. (a) Notwithstanding any other provision of this regulation the Commodity Credit Corporation may sell, and any person may buy from the Commodity Credit Corporation, wheat at prices higher than those specified herein if such sale or purchase is necessary in order to comply with laws applicable to the Commodity Credit Corporation.

(b) This section shall have no application to any resale of any wheat purchased from the Commodity Credit Corporation.

SEC. 14. Documents and reports. (a) Every person subject to this regulation making a sale or purchase of wheat in the course of trade or business on or after the effective date of this regulation shall keep for inspection by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, complete and accurate records of such sales and purchases, including the date thereof, name of the seller and purchaser, price paid or received, buyer's receiving point and the quantity of wheat sold or purchased: *Provided*, That producers and sellers of quantities of 100 bushels or less need keep only such records as they customarily kept as of the effective date of this regulation.

(b) Persons affected by this regulation shall submit such records to the Office of Price Administration as it may from time to time require.²

SEC. 15. Evasive practices. The price limitations set forth in this regulation shall not be evaded whether by direct or indirect methods, in connection with any offer, solicitation, agreement, sale, delivery, purchase, or receipt of or relating to wheat, alone or in conjunction with any other commodity, or by way of commission, service, transportation, or other charge, or discount, premium, or other privilege, or by tying agreement, or other trade understanding or by any other means.

²Subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

SEC. 16. Enforcement. Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, and suits for treble damages, and proceedings for suspension of licenses, provided for by the Emergency Price Control Act of 1942, as amended.

SEC. 17. Licensing. The provisions of Licensing Order No. 1³ licensing all persons who make sales under price control are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended. These provisions do not apply to any producer selling wheat produced by him.

SEC. 18. Adjustable pricing. Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending; but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

³8 F.R. 13240.

SEC. 19. Maximum prices for export sales. The maximum prices for export sales shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation.⁴

SEC. 20. Petitions for amendment. Any person seeking a modification of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.⁵

SEC. 21. Exempt sales. Whenever circumstances of emergency make the purchase of wheat by the United States or any of its agencies imperative and it is impossible to secure or unfair to require immediate delivery at the maximum price which would otherwise be applicable, such purchases and deliveries may be made pursuant to the provisions of section 4.3 (f) of Revised Supplementary Regulation No. 1 to the General Maximum Price Regulation.

SEC. 22. Adjustment of maximum price containing a fraction of a cent. If a maximum price determined under this regulation results in a fraction of a cent other than $\frac{1}{2}$ of a cent or multiple thereof, the same may be increased to the next higher $\frac{1}{2}$ of a cent.

APPENDIX A—SCHEDULE OF FORMULA PRICES

1. *Purpose and scope of this appendix.* This appendix sets forth a schedule of formula prices. These are simply the basic maximum prices from which the actual maximum price for every sale by every seller is calculated as previously set forth in the text of this regulation. These formula prices shall not be used independently as the maximum price for any sale.

2. *Formula prices at terminal cities.* (a) (1) The formula prices per bushel for the following grades and classes of wheat, dockage free, with a protein content of less than 13.0%, bulk, at the following terminal cities shall be as follows:

⁶8 F.R. 4132, 7662, 5987, 9998.

⁷7 F.R. 8961; 8 F.R. 3313, 3553, 6173, 11806.

TABLE I

Terminal city	No. 1 Heavy Dark Northern Spring, No. 1 Heavy Northern Spring, No. 1 Heavy Red Spring, No. 1 Dark Hard Winter, No. 1 Hard Winter, No. 1 Yellow Hard Winter, No. 1 Hard White	No. 1 Red Winter, No. 1 Western Red, No. 1 Soft White, No. 1 White Club, No. 1 Western White
	Price per bushel	Price per bushel
Duluth, Minn.	\$1.63 $\frac{3}{4}$	\$1.63 $\frac{3}{4}$
Minneapolis, Minn.	1.63 $\frac{3}{4}$	1.63 $\frac{3}{4}$
Missouri River Markets	1.61 $\frac{1}{2}$	1.66 $\frac{3}{4}$
East St. Louis, Ill.	1.68 $\frac{1}{2}$	1.71 $\frac{3}{4}$
St. Louis, Mo.	1.68 $\frac{1}{2}$	1.71 $\frac{3}{4}$
Chicago, Ill.	1.71 $\frac{3}{4}$	1.71 $\frac{3}{4}$
Milwaukee, Wis.	1.71 $\frac{3}{4}$	1.71 $\frac{3}{4}$
Boston, Mass.	1.88 $\frac{3}{4}$	1.88 $\frac{3}{4}$
New York City, N. Y.	1.87 $\frac{1}{2}$	1.87 $\frac{1}{2}$
Philadelphia, Pa.	1.86 $\frac{1}{2}$	1.86 $\frac{1}{2}$
Baltimore, Md.	1.85 $\frac{3}{4}$	1.85 $\frac{3}{4}$
Atlanta, Ga.	1.90 $\frac{1}{2}$	1.93
Memphis, Tenn.		1.75 $\frac{3}{4}$
Galveston, Tex.	1.71 $\frac{3}{4}$	1.76 $\frac{3}{4}$
New Orleans, La.	1.76 $\frac{1}{2}$	1.81 $\frac{3}{4}$

(2) The formula prices set forth in Table I of this Appendix A shall be decreased for lower grades of wheat as follows:

TABLE Ia

Grade	No. 1 Heavy Dark Northern Spring, No. 1 Heavy Northern Spring, No. 1 Heavy Red Spring	No. 1 Dark Hard Winter, No. 1 Hard Winter, No. 1 Yellow Hard Winter, No. 1 Red Winter, No. 1 Western Red, No. 1 Hard White, No. 1 Soft White, No. 1 White Club, No. 1 Western White
#1 (not heavy)	1	0
#2	1½	1
#3	2½	2
#4	3½	3
#5	4½	4½
Sample grade (other than moisture)	8	8
Light smutty	1	1
Light Garlicky	1	1
Garlicky	1	1
Weevily	1	1
Ergoty	1	1
Treated	2	2

(3) The formula prices set forth in Table I of this Appendix A shall be decreased by 1 cent per bushel for each ½ per cent or fraction thereof of moisture over 14.5 per cent of moisture in the case of Hard Red Spring wheat and over 14.0 per cent of moisture in the case of all other wheats mentioned in said table: *Provided*, That in the case of mixed wheat, the predominating class of the mixture shall govern in applying the moisture discount.

(4) The formula prices set forth in Table I of this Appendix A may be increased for protein content as follows:

TABLE Ib

Percentage of protein	Hard Red Spring	Hard Red Winter White
13.0% to 13.9%	2	2
14.0% to 14.9%	4	3
15.0% to 15.9%	6	4
16.0% to 16.9%	8	5
17.0% to 17.9%	10	6
Over 17.9%	12	7
	14	8
	16	9
	18	10
	2	2 for each ½% of protein over 17.9%

(b) (1) The formula prices per bushel for the following grades and subclasses of wheat, dockage free, with a protein content less than 10.0%, bulk, at the following terminal cities shall be as follows:

TABLE II

No. 1 Heavy Dark Northern Spring, No. 1 Heavy Northern Spring, No. 1 Hard White, No. 1 Dark Hard Winter, No. 1 Hard Winter, No. 1 Yellow Hard Winter, No. 1 Red Winter, No. 1 Western Red, No. 1 White Club, No. 1 Soft White, No. 1 Western White.

Terminal city:

Tacoma, Washington	\$1.56½
Seattle, Washington	1.56½
Portland, Oregon	1.56½
San Francisco, California	1.70½
Los Angeles, California	1.71½

(2) The formula prices set forth in Table II of this Appendix A shall be decreased for lower grades of wheat as follows:

TABLE IIs

	No. 1 Heavy Dark Northern Spring, No. 1 Heavy Northern Spring, No. 1 Heavy Red Spring	No. 1 Hard Winter, No. 1 Yellow Hard Winter, No. 1 Red Winter, No. 1 Soft White, No. 1 White Club, No. 1 Western White, No. 1 Hard White
#1 (not heavy)	1	0
#2	1½	1
#3	2½	2
#4	3½	3
#5	4½	4½
Sample grade (other than moisture)	8	8
1% or over smut dockage	1	1
Light Garlicky	1	1
Garlicky	1	1
Weevily	1	1
Ergoty	1	1
Treated	2	2

(3) The formula prices set forth in Table II of this Appendix A shall be decreased by 1 cent per bushel for each ½ per cent or fraction thereof of moisture over 14.5 per cent of moisture in the case of Hard Red Spring Wheat and over 14.0 per cent of moisture in the case of all other wheats mentioned in said table: *Provided*, That in the case of mixed wheat, the predominating class of the mixture shall govern in applying the moisture discount.

(4) The formula prices set forth in Table II of this Appendix A may be increased for protein content as follows:

TABLE IIb

Percentage of protein	Hard Red Spring	Hard Red Winter, Soft Red Winter, White Wheat
10.0% to 10.9%	2	2
11.0% to 11.9%	4	4
12.0% to 12.9%	6	6
13.0% to 13.9%	8	8
14.0% to 14.9%	10	9
15.0% to 15.9%	12	10
16.0% to 16.9%	14	11
17.0% to 17.9%	16	12
Over 17.9%	18	13
	20	14
	22	15
	24	16
	2 for each ½% or fraction thereof	

(c) (1) The formula prices per bushel for the following subclasses and classes and grades of wheat, dockage free, bulk at the following terminal cities shall be as follows:

TABLE III

Terminal city	No. 1 Hard Amber Durum, No. 1 Amber Durum, No. 1 Amber Mixed Durum, No. 1 Mixed Durum	No. 1 Red Durum
	Price per bushel	Price per bushel
Duluth, Minn.	\$1.67½	\$1.57½
Minneapolis, Minn.	1.67½	1.57½
Chicago, Ill.	1.75½	1.65½
Boston, Mass.	1.92½	1.82½
Philadelphia, Pa.	1.90½	1.80½
Atlanta, Ga.	1.97	1.87
Portland, Oreg.	1.66½	1.56½
Los Angeles, Calif.	1.80½	1.70½
Galveston, Tex.	1.75½	1.65½
Missouri River Markets	1.65½	1.55½

(2) The foregoing formula prices set forth in Table III of this Appendix A shall be decreased for lower grades as follows:

TABLE III-A

Grade:	Amount of decrease Cents per bushel
#1	0
#2	1
#3	2
#4	3
#5	4½
Sample grade (other than moisture)	8
Light smutty	1
Smutty	3
Light Garlicky	1
Garlicky	3
Weevilly	1
Ergoty	5
Treated	2

(3) The formula prices set forth in Table III of this Appendix A shall be decreased by 1 cent per bushel for each ½ per cent or fraction thereof of moisture over 14.5 per cent of moisture in the case of all wheats mentioned in said table: *Provided*, That in the case of mixed wheat the predominating class of the mixture shall govern in applying the moisture discount.

(d) The discounts for the grades mentioned in Tables Ia, IIa and IIIa are cumulative. For example, wheat grading No. 2 garlicky is subject to a discount of at least 1 cent for grading No. 2 plus a further discount of at least 3 cents for grading "garlicky" or a minimum total discount of 4 cents per bushel.

(e) The formula prices mentioned in Tables I, II and III shall be decreased 3 cents per bushel for sales in any of the terminal cities mentioned in said tables without transit billing annexed to the lot sold.

3. *Formula prices at interior rail points.* (a) The price per bushel for any wheat, bulk, at any interior rail point in Area A shall be that maximum price specified in Appendix A, Tables I, II and III which, less transportation charges at the lowest published domestic carload rail transportation rate from that interior rail point to any terminal city, will result in the highest price at said interior rail point, plus, if the wheat sold at said interior rail point is accompanied by transit billing usable beyond said interior rail point, the value of the transit billing. This value shall be calculated at the difference between the amount of the transportation charges, deducted from the appropriate terminal city's maximum price in calculating a maximum price for said interior rail point as above provided, and the rail transportation charges payable on the transit billing or movement of wheat from said interior rail point to said terminal city.

(b) The formula for any wheat per bushel, bulk, at any interior rail point in the following areas shall be as follows:

(1) In Alabama, Mississippi, Florida, Georgia, North Carolina, South Carolina, in Ten-

nessee east of the Western boundaries of Campbell, Anderson, Roane, Rhea and Hamilton counties, Virginia, West Virginia, Delaware, New Jersey, the New England States and the Eastern Shore of Maryland south of a line drawn east and west through Chesapeake City, the formula price at Chicago, Illinois or St. Louis, Missouri, as above set forth, plus the transportation cost at the lowest domestic carload rail proportional rate from Chicago or St. Louis to the interior rail point in question, whichever is lower.

(2) In Arizona, the formula price at Kansas City, Missouri, plus 17 cents per bushel.

(3) In New Mexico, except in Quay, Debaca, Curry, Roosevelt, Chaves, Lea, Eddy, Guadalupe, Lincoln and Otero counties, the formula price at Kansas City, Missouri, less 16½¢ per bushel, plus the lowest flat carload rail rate from Lamar, Colorado to the interior rail point in question.

(4) In Colorado west of Larimer, Boulder, Gilpin, Clear Creek, Park, Fremont, Custer, Huerfano and Las Animas counties, the formula price at Kansas City, Missouri less 12 cents per bushel.

4. *Formula prices at interior non-rail points.* The formula price for any wheat, bulk, at any interior non-rail point shall be the maximum price set forth in section 3 of this Appendix A at the rail point (either interior rail point or terminal city, as the case may be) nearest thereto by the most usually traveled route, less transportation charges from said interior non-rail point to said rail point: *Provided*, That if a commercial elevator or warehouse for the purchase and handling of grain is operated at a non-rail point, the formula price at that point shall be the same as that at the nearest rail point.

5. *Formula prices for mixed wheat.* The formula price per bushel, bulk, for mixed wheat at any terminal city or interior point shall be the appropriate maximum price for the class and grade of wheat predominating in the mixture at such terminal city or interior point adjusted for the moisture and protein content in the mixture in accordance with the tables in Appendix A less (unless the mixture consists wholly of hard red winter and hard red spring wheats or wholly of soft red winter and white wheats or is of the subclasses of Amber Mixed Durum or Mixed Durum) two cents per bushel.

6. *Formula prices for mixed grain.* The formula price per bushel, bulk, for mixed grain containing more than 50 per cent of wheat at any terminal city or interior point shall be determined by mul-

tiplying the percentage of each such grain in the mixture by the appropriate maximum price thereof at such terminal city or interior point, or, if there is no such maximum price for a particular grain, by the reasonable market value thereof at such terminal city or interior point, and adding the results, less 5 cents per bushel.

This regulation shall become effective January 4, 1944.

NOTE: The record keeping provisions of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 4th day of January 1944.

CHESTER BOWLES,
Administrator.

Approved: January 3, 1944.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-177; Filed, January 4, 1944;
3:36 p. m.]

PART 1305—ADMINISTRATION

[Supplementary Order 81]

SALES BY THE UNITED STATES GOVERNMENT OR ITS AGENCIES

A statement of the reasons involved in the issuance of this supplementary order, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

§ 1305.108 *Sales by the United States Government or its agencies.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Supplementary Order No. 81 (Sales by the United States Government or its agencies), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1305.108 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

SUPPLEMENTARY ORDER NO. 81—SALES BY THE UNITED STATES GOVERNMENT OR ITS AGENCIES

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SECTION 1. *What this supplementary order does.* This supplementary order establishes maximum prices at which government agencies shall sell food commodities and exempts from price control sales of food by government agencies to the persons and organizations listed in section 7. This supplementary order does not, however, establish maximum

*Copies may be obtained from the Office of Price Administration.

prices for the sale by government agencies of any food commodity which is not otherwise subject to price control, nor does it cover sales which are, by express reference to government agencies or any government agency, specifically governed by the provisions of other orders or price regulations unless the sale is exempted from price control by the operation of section 7.

SEC. 2. Where this supplementary order applies. The provisions of this supplementary order shall be applicable only to the 48 states of the United States of America and to the District of Columbia.

SEC. 3. What this supplementary order permits. Lower prices than those established by this supplementary order may be charged, demanded, paid or offered, whether by way of discounts, allowances or otherwise.

SEC. 4. What this supplementary order prohibits. On and after January 12, 1944, regardless of any contract, agreement or other obligation, no government agency or official or employee of a government agency shall sell, deliver or purchase, or cause to be sold, delivered or purchased, for the account of any government agency, food commodities at a price higher than the maximum prices established by this supplementary order, and no person in the course of trade or business shall buy or receive such foods at a price higher than the maximum prices established by this supplementary order; and no person shall agree, offer, solicit, or attempt to do any of the foregoing.

SEC. 5. Definitions—(a) Government agency. For the purposes of this supplementary order the term "government agency" shall include the United States Government or any department, agency, commission, corporation or other such instrumentality of the United States Government.

(b) Food or food commodity. For the purposes of this supplementary order, the term "food" or "food commodity" shall mean all commodities or products, simple, mixed or compound, or complements to such commodities or products that are or may be eaten or drunk by either humans or animals, irrespective of other uses to which such commodities or products may be put, and at all stages of processing from the raw commodity to the product thereof in a vendible form for immediate consumption. Furthermore, the term shall include tobacco, all starches, sugars, vegetable and animal fats and oils, and all other commodities which may be designated by the Administrator of the Office of Price Administration upon request of the War Food Administrator.

(c) Person. The term "person" includes an individual, corporation, partnership, association, government agency or any other organized group of persons as hereinbefore defined or the legal successor or representative of any of the foregoing.

(d) Definitions of the Emergency Price Control Act of 1942, and the General Maximum Price Regulation. Unless the

context requires otherwise, the definitions of section 302 of the Emergency Price Control Act of 1942, as amended, and of the General Maximum Price Regulation, as amended, shall apply to the terms used in this supplementary order.

SEC. 6. Sales not covered by this supplementary order. This supplementary order shall not apply to, supersede, or in any other way affect any provision of other orders or price regulations which:

(a) Excludes from price control the sale of any food commodity by any government agency; or

(b) Establishes maximum prices for the sale of food by government agencies by express reference to such government agencies and not by mere residual clauses or by the common definition of the term "person" to include government agencies. However, if the sale under such provision is exempted from price control by section 7, the provisions of section 7 shall govern the sale.

SEC. 7. Sales exempt from price control. Irrespective of the provisions of any other price regulation, or order, no government agency shall be required to abide by or conform to any maximum or ceiling prices in the sale of food to:

- (a) Any other government agency; or
- (b) Any foreign government or agency of a foreign government; or
- (c) Any relief organization for donation or export sale.

SEC. 8. Non-exempt sales—(a) How to determine the maximum price. Any sale of food commodities by government agencies which is not excluded from the operation of this supplementary order by section 6, or exempted from price control by section 7, shall be subject to the following maximum or ceiling prices:

(1) Sale to the producer, processor, or manufacturer from whom the food was purchased. The resale of food to the producer, processor, or manufacturer from whom purchased shall be at a price not to exceed the buyer's maximum selling price for the food in the quantity and at the place and season that delivery is made or at the price paid¹ for it by the government agency originally purchasing the food, whichever is the higher.

(2) Sale to other producers, processors or manufacturers of the same or a similar food commodity. (i) The sale of food to other producers, processors, or manufacturers of the same food commodity shall be at a price not to exceed the buyer's maximum selling price for the food in the quantity and at the place and season that delivery is made.

(ii) The sale of food to a producer, processor, or manufacturer of a similar food commodity shall be at a price not to exceed the maximum price at which its producer, processor, or manufacturer, if he can be readily ascertained, could sell the food in the quantity and at the place and season that delivery is made. If the producer, processor, or manufacturer is not readily ascertainable, then the sale shall be at a price not to exceed the buyer's maximum selling

¹The "price paid" is to be determined in the same manner, whether by averages or otherwise, usually used to compute such prices.

price for the food in the quantity and at the place and season of delivery under the price regulation covering that specific food commodity.

(3) Sales to distributors other than manufacturers, processors, or producers.

(i) The sale of food to a distributor dealing in the same food commodity, other than a manufacturer, processor, or producer, shall be at a price not to exceed the highest maximum price the distributor could pay any of his usual suppliers for the food in the quantity and at the place and season that delivery is made.

(ii) The sale of food to a distributor who deals in a similar but not in the same food commodity, other than a manufacturer, processor, or producer, shall be at a price not to exceed the highest maximum price which the most closely competitive distributor of the same class could pay any of his usual suppliers for the specific food commodity being sold in the quantity and at the place and season that delivery is made. If, however, the distributor's maximum price cannot be determined by the foregoing method, the sale shall be at a price not to exceed the maximum price at which the food could be sold in the quantity and at the time and season of delivery to the distributor by his usual supplier under the price regulation covering the specific food commodity being sold.

(4) Sales to all others. The sale of food to anyone who does not produce, process, manufacture, or distribute the same or a similar food commodity shall be at a price not to exceed (1) the price which the government agency originally purchasing it paid¹ for the food commodity or (2) such price as is necessary to reflect to producers or growers the higher of the minimum prices required by section 3 of the Emergency Price Control Act of 1942, as amended, whichever is the higher.

(b) When unusual packaging costs may be added to the maximum prices. The government agency may add the cost of special or unusual packaging of the food commodity to the maximum price as computed under the appropriate paragraph of this section only when, and to the extent that, such packaging is of value to the buyer. If the special or unusual packaging is of no value to the buyer, however, the maximum price which the government agency may receive shall be the maximum price computed under the appropriate paragraph of this section for the food commodity in its usual packaged form, and the purchaser shall not then be required to pay for extra packaging costs incurred by the government agency for the packaging of the commodity in any other than its usual form.

SEC. 9. Liability of officials of government agencies. Officials of government agencies making sales under the paragraphs of section 8 are exempted from any liability for the violation of any of the maximum price ceilings prescribed herein if they have obtained from the buyer a sworn certificate attesting to the buyer's maximum or ceiling price for the food commodity as computed under the provisions of the appropriate paragraph

of section 8 and have sold the food commodity at a price not in excess of the certified maximum price.

Sec. 10. *Enforcement.* All persons, other than government agencies, violating any provision of this supplementary order are subject to the criminal penalties, civil enforcement actions and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

This Supplementary Order No. 81 shall become effective January 12, 1944.

Issued this 6th day of January 1944.

JAMES F. BROWNLEE,
Acting Administrator.

Approved: December 28, 1943.

ASHLEY SELLERS,
Assistant War Food Administrator.

[F. R. Doc. 44-342; Filed, January 6, 1944;
11:53 a. m.]

TITLE 34—NAVY

Chapter I—Department of the Navy

PART 13—SERVICEMEN'S DEPENDENTS ALLOWANCE

JOINT REGULATIONS UNDER SERVICEMEN'S DEPENDENTS ALLOWANCE ACT, AS AMENDED

Section 13.1 as published in the *FEDERAL REGISTER* 3 August 1943 (8 F.R. 10764) is rescinded and the following new § 13.1 is substituted therefor:

§ 13.1 *Period of entitlement and payment of family allowances.* Under provisions of the Servicemen's Dependents Allowance Act of 1942, as amended, the Secretary of War and the Secretary of the Navy prescribe jointly the following regulations pertaining to family allowances.

(a) Payments of all family allowances shall be for periods of full calendar months.

(b) To insure expeditious payment of the initial family allowance:

(1) Payment shall be made on the basis of the statements of the enlisted man in the application, filed within the prescribed period, and to or on behalf of eligible dependents designated therein; and

(2) Eligibility for initial family allowance will be deemed to have existed on and from the date of entry into active service if the application indicates eligibility on the date of application.

(c) Erroneous statements or misrepresentations in applications for initial family allowances may, as determined by the Secretary of the department concerned, be the basis for recovery by charge against the pay of the applicant, or otherwise, and for disciplinary action.

(d) When an initial family allowance is paid to any dependent for the month of an enlisted man's entry into active service in a pay status, no regular monthly family allowance shall be paid to any dependent of such enlisted man for that month. When no initial family allowance is paid, the period of entitlement and payment of the regular

monthly family allowance shall begin as hereinafter prescribed.

(e) Except as otherwise provided, the period of entitlement to and payment of regular monthly family allowances, including any increases therein, shall begin as of the first day of the calendar month in which a required written application (or a notice of change in a case of increase) is filed, or the first day of the calendar month in which a dependent is acquired, whichever is later, but in no case earlier than the month of entry of the enlisted man into active service in a pay status. In case of Class B or Class B-1 dependents the period of entitlement and payment may begin as of the first day of any subsequent calendar month that the enlisted man requests.

(f) Any increase in a regular monthly family allowance in effect to a wife, or wife and children, incident to the birth of a child or additional child, shall be effective as of the first day of the calendar month during which the birth occurs notwithstanding that notice or evidence thereof is received in a subsequent month.

(g) Except as otherwise provided, the period of payment of monthly family allowance shall terminate, or payment shall be decreased, as of the end of the calendar month during which any notice is received by the disbursing officer paying the allowance of a change which terminates or limits the entitlement of the dependent or dependents to such allowance. Entitlement to family allowance shall terminate or be modified at the end of the month in which such change occurs. Checks to which there is no entitlement may be permanently withheld.

(h) Insofar as practicable the period of entitlement and payment of any Class B or Class B-1 regular monthly family allowance requested in writing by the enlisted man to be discontinued, other than by reason of change in status of dependents, shall terminate as of the end of the calendar month requested by the enlisted man or the end of the calendar month during which such request is received by the disbursing officer paying the allowance, and in no case later than the end of the next succeeding calendar month.

(i) For the purpose of determining amounts of family allowance to be paid:

(1) In cases in which no family allowance has been granted to a wife or divorced wife, the amount of family allowance payable to children shall be the amount specified in the statute where there is no wife or divorced wife;

(2) In cases in which no family allowance has been granted to a parent, the amount of family allowance payable to brothers and sisters shall be the amount specified in the statute where there is no parent;

(3) All children of an enlisted man shall be considered one family entity irrespective of differences in their custody, residence, or parentage;

(4) Parents of an enlisted man, and all his brothers and sisters irrespective of differences in their custody, residence,

or parentage, shall be considered one family entity;

(5) The total amount of monthly family allowance payable to or for the benefit, respectively, of two or more children, of two parents, or of two or more brothers and sisters, shall be equally divided among the respective children, parents, or brothers and sisters or shall be otherwise apportioned and paid within the respective groups as the Secretary of the department concerned may direct.

(j) Whenever a court order or decree or written agreement of separation provides a single sum for alimony to a divorced wife or maintenance for a wife and also for the support of a child or children, the proportional share of the wife or divorced wife in such sum shall, for the purpose of carrying out the provisions of section 106 (c) of the act, be deemed to be sixty per centum thereof in the case of one child and forty per centum thereof in any case of two or more children. Regardless of any limit stated in a court order or decree or written agreement the full statutory amount of family allowance shall be payable to or on behalf of any child or children.

(k) Application of section 106 (c) (1) shall be made in those cases in which there is a lawful wife living separate and apart from the enlisted man and there is also a court order or decree or a written agreement which expressly or impliedly provides for the beginning or continuance of such living separate and apart. In construing a court order or decree or written agreement full consideration shall be given to all the facts and circumstances under which the order, decree or agreement is issued or made. A penal order for marital support or an order in a desertion case is not within this statutory limitation; in such cases the full allowance for a wife is payable.

(l) The payment of any amounts of a family allowance uncollected at the time of death of a dependent shall be made to such payee or payees, including the enlisted man when appropriate, as the Secretary of the department concerned shall deem equitable, subject to the provisions of section 115 of the act.

(m) The Secretary of the department concerned may at any time require additional evidence in any family allowance case. Failure to furnish such evidence within a reasonable time after request or any insufficiency of evidence shall constitute good cause for the discontinuance or modification of such family allowance.

These joint regulations are effective 1 November 1943; they rescind and supersede the joint regulations approved 19 July 1943.

(56 Stat. 381, 57 Stat. 577; 37 U.S.C. Sup. 201, et seq.)

Approved: December 4, 1943.

HENRY L. STIMSON,
Secretary of War.

Approved: December 21, 1943.

FRANK KNOX,
Secretary of the Navy.

[F. R. Doc. 44-259; Filed, January 5, 1944;
12:14 p. m.]

Notices

DEPARTMENT OF THE INTERIOR.

Bureau of Reclamation.

NORTH PLATTE PROJECT, NEBRASKA-WYOMING

RECOMMENDATIONS OF THE BUREAU OF RECLAMATION WAGE BOARD TO THE SECRETARY OF THE INTERIOR

The Bureau of Reclamation Wage Board adopted on September 13, 1943, a schedule of wage rates for the powerhouse, power line and substation operation and maintenance employees of the Bureau of Reclamation on the North Platte Project. This schedule was approved by the Acting Secretary on September 21. New information recently submitted by the project requires the addition of certain wage rates to the schedule heretofore approved.

The Bureau of Reclamation Wage Board finds that the hourly rates listed below are prevailing for similar work in the vicinity of the North Platte Project and recommends them for your adoption.

Labor classification	Prevailing basic hourly rate on private work	Recommended basic hourly rate for B/R employees
Machinist, maintenance.....	\$1.15	\$1.15
Machinist's helper, maintenance.....	.75	.75
Line patrolman's helper.....	.79	.79
Truck driver, maintenance.....	.75	.75
Laborer, power or irrigation system.....	.62	.62
Laborer, senior.....	.79	.79

¹ Restricted to present incumbent; no other employment to be made in this classification.

It is the understanding of the Wage Board that Bureau of Reclamation employees of the classes above specified, paid in accordance with this schedule, are in recognized trades or occupations and will receive overtime pay on the basis of one and one-half times the basic hourly rate for all time worked in excess of forty hours in any one week. Refer to forty-hour week Act (Sec. 23, Act of March 28, 1934; 48 Stat., 522.)

No reduction in current rates. The Wage Board recommends that no present employee of the Bureau of Reclamation suffer a reduction in his basic hourly wage rate as a result of the promulgation of these recommendations.

The Wage Board recommends that all employees of the Bureau of Reclamation on the North Platte Project, except those allocated to grade, and except those classified or reclassified in accordance with the schedule approved September 21, 1943, mentioned above, be classified or reclassified in accordance with the schedule herein recommended, effective as of the beginning of business on January 1, 1944. The Board further recommends that all positions at this project not allocated to grade and for which job titles are not listed in the schedule herein recommended, or in said schedule approved September 21, 1943, be abolished.

The foregoing recommendations approved and adopted by the Bureau of Reclamation Wage Board this 6th day of December 1943.

GUY W. NUMBERS,
Chairman,
JOSEPH C. McCASKILL,
Member,
CHARLES A. BISSELL,
Member.

I concur in the above recommendations.

C. WARREN STAPLETON,
Special Adviser on Labor Relations.

Approved: December 15, 1943.

HAROLD L. ICKES,
Secretary of the Interior.

[F. R. Doc. 44-260; Filed, January 5, 1944;
2:43 p. m.]

DEPARTMENT OF LABOR.

Office of the Secretary.

[WLD-14]

HARRIS TRANSFER AND WAREHOUSE CO.

FINDINGS AS TO CONTRACTS IN PROSECUTION OF WAR

Pursuant to section 2 (b) (3) of the War Labor Disputes Act (Pub. No. 89, 78th Cong., 1st sess.) and the Directive of the President dated August 10, 1943, published in the FEDERAL REGISTER August 14, 1943, and

Having been advised of the existence of a labor dispute involving the Harris Transfer and Warehouse Company, Birmingham, Alabama. (Case No. S-588),

I find that motor vehicle transportation of goods and commodities pursuant to contracts with railroad companies and with war contractors in and around Birmingham, Alabama, and storage of food and chemicals pursuant to contracts with producers thereof, by the Harris Transfer and Warehouse Company, Birmingham, Alabama, are contracted for in the prosecution of the war within the meaning of section 2 (b) (3) of the War Labor Disputes Act.

Signed at Washington, D. C., this 5th day of January 1944.

FRANCES PERKINS,
Secretary of Labor.

[F. R. Doc. 44-332; Filed, January 6, 1944;
11:39 a. m.]

[WLD-15]

WITTICHEN TRANSFER AND WAREHOUSE CO.

FINDINGS AS TO CONTRACTS IN PROSECUTION OF WAR

Pursuant to section 2 (b) (3) of the War Labor Disputes Act (Pub. No. 89, 78th Cong., 1st sess.) and the Directive of the President dated August 10, 1943, published in the FEDERAL REGISTER August 14, 1943, and

Having been advised of the existence of a labor dispute involving the Wittichen Transfer and Warehouse Company, Birmingham, Alabama (Case No. S-589),

I find that motor vehicle transportation of goods and commodities pursuant to contracts with railroad companies and war contractors in and around Birmingham, Alabama, and storage of food, oil and seed pursuant to contracts with producers thereof, by the Wittichen Transfer and Warehouse Company, Birmingham, Alabama, are contracted for in the prosecution of the war within the meaning of section 2 (b) (3) of the War Labor Disputes Act.

Signed at Washington, D. C., this 5th day of January 1944.

FRANCES PERKINS,
Secretary of Labor.

[F. R. Doc. 44-333; Filed, January 6, 1944;
11:39 a. m.]

[WLD-16]

ALABAMA CARTAGE CO.

FINDINGS AS TO CONTRACTS IN PROSECUTION OF WAR

Pursuant to section 2 (b) (3) of the War Labor Disputes Act (Pub. No. 89, 78th Cong., 1st sess.) and the Directive of the President dated August 10, 1943, published in the FEDERAL REGISTER August 14, 1943, and

Having been advised of the existence of a labor dispute involving the Alabama Cartage Company, Birmingham, Alabama (Case No. S-590),

I find that motor vehicle transportation of goods and commodities by the Alabama Cartage Company, Birmingham, Alabama, pursuant to contracts with war contractors in and around Birmingham, Alabama, is contracted for in the prosecution of the war within the meaning of section 2 (b) (3) of the War Labor Disputes Act.

Signed at Washington, D. C., this 5th day of January 1944.

FRANCES PERKINS,
Secretary of Labor.

[F. R. Doc. 44-334; Filed, January 6, 1944;
11:39 a. m.]

[WLD-17]

ATKINSON KIER CO.

FINDINGS AS TO CONTRACTS IN PROSECUTION OF WAR

Pursuant to section 2 (b) (3) of the War Labor Disputes Act (Pub. No. 89, 78th Cong., 1st sess.) and the Directive of the President dated August 10, 1943, published in the FEDERAL REGISTER August 14, 1943, and

Having been advised of the existence of a labor dispute involving Atkinson, Kier Company, San Francisco, California (Case No. S-632),

I find that the construction of concrete work on Keswick Dam and powerhouse, Shasta County, California, by Atkinson, Kier Company, San Francisco, California, pursuant to its contract dated August 9, 1941, with the Bureau of Reclamation of the United States Department of the Interior, is contracted for in the prosecution of the war within the

meaning of section 2 (b) (3) of the War Labor Disputes Act.

Signed at Washington, D. C., this 5th day of January 1944.

FRANCES PERKINS,
Secretary of Labor.

[F. R. Doc. 44-335; Filed, January 6, 1944;
11:39 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6566]

VANCOUVER RADIO CORP. (KVAN)

NOTICE OF HEARING

In re application of Vancouver Radio Corporation (KVAN); date filed, October 6, 1943, for construction permit; class of service, broadcast; class of station, broadcast; location, Vancouver, Washington; operating assignment specified: Frequency, 930 kc.; power, 250 w. night, 500 w. day; hours of operation, unlimited. File No. B5-P-3552.

You are hereby notified that the Commission has examined the application in the above entitled case and has designated the matter for hearing for the following reasons:

1. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its memorandum opinion dated April 27, 1942 or as modified September 22, 1942.

2. To determine the extent of any interference which would result from the simultaneous operation of Station KVAN, as proposed, and Station CJCA, Edmonton, Alberta, Canada.

3. To determine whether the granting of this application would be consistent with the provisions of the North American Regional Broadcasting Agreement (Part II, section D, paragraph 2 NARBA).

4. To determine the areas and populations which would receive primary service from the operation of Station KVAN, as proposed, and what other broadcast service is available to these areas and populations.

5. To determine whether Station KVAN, operating as proposed, would provide primary service to the metropolitan district of Portland, Oregon, as contemplated by the Standards of Good Engineering Practice.

6. To determine whether the assignment requested by this application is in accordance with § 3.22 of the Commission's rules and section 1 of the Standards of Good Engineering Practice.

7. To determine whether, in view of the facts adduced under the foregoing issues, public interest, convenience or necessity would be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such

issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's rules of practice and procedure.

The applicant's address is as follows: Vancouver Radio Corporation, Radio Station KVAN, P. O. Box 610, Vancouver, Washington.

Dated at Washington, D. C., January 5, 1944.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-289; Filed, January 6, 1944;
10:55 a. m.]

[Docket No. 6567]

WSPR, Inc. (WSPR)

NOTICE OF HEARING

In re application of WSPR, Inc. (WSPR); date filed, October 29, 1943, for construction permit; class of service, broadcast; class of station, broadcast; location, Springfield, Mass.; operating assignment specified: Frequency, 1270 kc.; power, 1 kw; hours of operation, unlimited (D. A. night and day). File No. B1-P-3554.

You are hereby notified that the Commission has examined the application in the above entitled case and has designated the matter for hearing for the following reasons:

1. To determine whether the granting of this application would be consistent with the policy announced by the Commission in its memorandum opinion dated April 27, 1942.

2. To determine the extent of any interference which would result from the simultaneous operation of Station WSPR, as proposed, and Stations WXYZ, Detroit, Michigan and CJCB, Sidney, Nova Scotia, Canada.

3. To determine the areas and populations, if any, which would be deprived of primary service particularly from Station WXYZ, as a result of the operation of Station WSPR, as proposed, and what other broadcast services are available to these areas and populations.

4. To determine whether the granting of this application would be consistent with the provisions of the North American Regional Broadcasting Agreement. (Appendix II, Table 1, NARBA)

5. To determine the areas and populations which may be expected to gain primary service as a result of the operation of Station WSPR, as proposed, and what other broadcast services are available to these areas and populations.

6. Determine whether in view of the facts adduced under the foregoing issues, public interest, convenience or necessity would be served through the granting of this application.

The application involved herein will not be granted by the Commission unless the issues listed above are determined in favor of the applicant on the basis

of a record duly and properly made by means of a formal hearing.

The applicant is hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicant who desire to be heard must file a petition to intervene in accordance with the provisions of § 1.102 of the Commission's rules of practice and procedure.

The applicant's address is as follows: WSPR, Incorporated, Radio Station WSPR, 63 Chestnut Street, Springfield 5, Massachusetts.

Dated at Washington, D. C., January 5, 1944.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 44-290; Filed, January 6, 1944;
10:55 a. m.]

[Docket Nos. 6569, 6539]

RATES AND CHARGES, U. S.—FOREIGN PORTS

ORDER FOR INVESTIGATION

In the order of the Commission adopted December 28, 1943, instituting an investigation into the matter of Telegraph Communication Service between the United States and Foreign Points, the Docket No. should read 6569 instead of 6568.

Publication of the order was made in the Tuesday, January 4, 1944 issue of the FEDERAL REGISTER on page 123.

[SEAL]

FEDERAL COMMUNICATIONS
COMMISSION,
T. J. SLOWIE, Secretary.

[F. R. Doc. 44-291; Filed, January 6, 1944;
10:55 a. m.]

INTERSTATE COMMERCE COMMISSION.

[S. O. 172-A]

CINCINNATI, NEW ORLEANS AND TEXAS
PACIFIC RAILWAY Co.

TERMINATION OF REROUTING ORDER

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 5th day of January, A. D. 1944.

Upon further consideration of Service Order No. 172 (9 F.R. 185) of January 3, 1944, and good cause appearing therefor: It is ordered, That:

Service Order No. 172 (9 F.R. 185) of January 3, 1944, directing The Cincinnati, New Orleans and Texas Pacific Railway Company to reroute traffic over its line because of a derailment and partial bridge destruction, be and it is hereby vacated and set aside. (40 Stat. 101, secs. 402, 418, 41 Stat. 476, 485, secs. 4, 10, 54 Stat. 901, 912; 49 U.S.C. 1 (10)-(17), 15 (4))

It is further ordered, That this order shall become effective at 9:00 a. m. January 5, 1944; that copies of this order

and direction shall be served upon The Cincinnati, New Orleans and Texas Pacific Railway Company and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this order be given the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 44-286; Filed, January 6, 1944;
10:24 a. m.]

OFFICE OF DEFENSE TRANSPORTATION.

[Rev. ODT 3, Supp. Order 143]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN ARKANSAS

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the carriers named in Appendix 1 hereof to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582), a copy of which plan is attached hereto as Appendix 2,¹ and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

¹ Filed as part of the original document.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 3, Revised-143," and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective January 10, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 6th day of January 1944.

JOSEPH B. EASTMAN,
Director,

Office of Defense Transportation.

APPENDIX 1

1. Arkansas Motor Freight Lines, Inc. (a corporation), 201 Rogers Street, Fort Smith, Arkansas.

2. Arkansas Warehouse Co. (a corporation), 123 Rogers St., Ft. Smith, Arkansas.

3. Campbell "66" Express, Inc. (a corporation), 501 Phelps Street, Springfield, Missouri.

4. Carl Caulk (an individual), doing business as Caulk Truck Line, Ozark, Arkansas.

5. Frisco Transportation Co. (a corporation), 906 Olive St., St. Louis, Missouri.

6. Gordon Interstate, Inc. (a corporation), 109 West McLemore, Memphis, Tennessee.

7. Keystone Freight Lines (a corporation), 1522 East 5th Place, Tulsa, Oklahoma.

8. Powell Brothers Truck Lines, Inc. (a corporation), Springfield, Missouri.

[F. R. Doc. 44-292; Filed, January 6, 1944;
11:01 a. m.]

[Rev. ODT 3, Supp. Order 144]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN NEW YORK CITY AND ALBANY, N. Y.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by Dorn's Transportation, Inc., Rensselaer, New York, William Selley, doing business as Selley Express, Rensselaer, New York, and State Parcel Corporation, Albany, New York, to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582), a copy of which plan is attached hereto as Appendix 1,¹ and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 3, Revised-144," and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective January 10, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 6th day of January 1944.

JOSEPH B. EASTMAN,
Director,

Office of Defense Transportation.

[F. R. Doc. 44-293; Filed, January 6, 1944;
11:01 a. m.]

[Rev. ODT 3, Supp. Order 145]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN POINTS IN OREGON AND WASHINGTON

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by Gustav Robertson, doing business as Robertson Freight Lines, Portland, Oregon, Pacific Highway Transport, Inc. (Washington Corporation), Seattle, Washington, South Bay Motor Freight Co. Inc., Aberdeen, Washington, and Puget Sound Freight Lines (Corporation), Seattle, Washington, to facilitate compliance with the requirements and purposes of General Order

ODT 3, Revised, as amended (7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582), a copy of which plan is attached hereto as Appendix 1,¹ and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

¹ Filed as part of the original document.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 3, Revised-145," and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective January 10, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 6th day of January 1944.

JOSEPH B. EASTMAN,
Director,

Office of Defense Transportation.

[F. R. Doc. 44-294; Filed, January 6, 1944;
11:01 a. m.]

[Rev. ODT 3, Supp. Order 146]

COMMON CARRIERS

COORDINATED OPERATIONS BETWEEN ST. LOUIS, MO., AND LOUISVILLE, KY.

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by Transamerican Freight Lines, Inc., Detroit, Michigan, Keeshin Motor Express Co., Inc., Chicago, Illinois, Riss & Company, Inc., Kansas City, Missouri, Interstate Motor Freight System (Michigan corporation), Grand Rapids, Michigan, Western Trucking Company, Inc., St. Louis, Missouri, Husmann & Roper Freight Lines, Inc., St. Louis, Missouri, and Yellow Cab Transit Co., doing business as Yellow Transit Company, Oklahoma City, Oklahoma, to facilitate compliance with the requirements and purposes of General Order ODT 3, Revised, as amended, 7 F.R. 5445, 6689, 7694; 8 F.R. 4660, 14582, a copy of which plan is attached hereto as Appendix 1,¹ and

It appearing that the proposed coordination of operations is necessary in order to assure maximum utilization of the facilities, services, and equipment, and to conserve and providently utilize vital equipment, materials, and supplies, of the carriers, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved and the carriers are directed to put the plan in operation forthwith, subject to the fol-

lowing provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the carriers forthwith shall file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order, and likewise shall file, and publish in accordance with law, and continue in effect until further order, tariffs or supplements to filed tariffs, setting forth any changes in rates, charges, operations, rules, regulations, and practices of the carrier which may be necessary to accord with the provisions of this order and of such plan; and forthwith shall apply to such regulatory body or bodies for special permission for such tariffs or supplements to become effective on the shortest notice lawfully permissible, but not prior to the effective date of this order.

3. Whenever transportation service is performed by one carrier in lieu of service by another carrier, by reason of a diversion, exchange, pooling, or similar act made or performed pursuant to the plan for joint action hereby approved, the rates, charges, rules, and regulations governing such service shall be those that would have applied except for such diversion, exchange, pooling, or other act.

4. The provisions of this order shall not be so construed or applied as to require any carrier subject hereto to perform any service beyond its transportation capacity, or to authorize or require any act or omission which is in violation of any law or regulation, or to permit any carrier to alter its legal liability to any shipper. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing interstate or intrastate operating authority of any carrier subject hereto, such carrier forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the carriers' possessing or obtaining the requisite operating authority.

5. All records of the carriers pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination and inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

6. The plan for joint action hereby approved and all contractual arrangements made by the carriers to effectuate the plan shall not continue in operation beyond the effective period of this order.

7. Communications concerning this order should refer to "Supplementary Order ODT 3, Revised-146," and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Washington, D. C.

This order shall become effective January 10, 1944, and shall remain in full force and effect until the termination of

the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 6th day of January 1944.

JOSEPH B. EASTMAN,
Director,

Office of Defense Transportation.

[F. R. Doc. 44-295; Filed, January 6, 1944;
11:02 a. m.]

[ODT 20A, Supp. Order 52]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN XENIA, OHIO, AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,¹ and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Xenia, Ohio, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements

made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Dayton, Ohio, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-52" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Dayton, Ohio.

8. This order shall become effective January 20, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 6th day of January 1944.

JOSEPH B. EASTMAN,
Director, Office of
Defense Transportation.

APPENDIX 1

Kelley Taxi Service, 27 S. Detroit St., Xenia, Ohio.

Crawford Cab Co., 28½ N. Detroit St., Xenia, Ohio.

Homer Johnson Taxi, 837 E. Main St., Xenia, Ohio.

Xenia Cab Co., 21 E. Main, Xenia, Ohio.

Bill's Cab, 11 W. Second St., Xenia, Ohio.

[F. R. Doc. 44-296; Filed, January 6, 1944;
11:02 a. m.]

[ODT 20A, Supp. Order 53]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN THE LOUISVILLE, KENTUCKY, AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,¹ and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Louisville, Kentucky, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment, materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan

¹ Filed as part of the original document.

into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority. The coordination of operations directed by this order shall not be construed as having required or as requiring the inclusion of section 4 (f) in Appendix 2.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Louisville, Kentucky, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-53" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Louisville, Kentucky.

8. This order shall become effective January 20, 1944, and shall remain in full force and effect until the termination

of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 6th day of January 1944.

JOSEPH B. EASTMAN,

Director,

Office of Defense Transportation.

APPENDIX 1

Avenue Cab Company, Inc., Louisville, Kentucky.

Liberty Taxi Service, Inc., Louisville, Kentucky.

Lincoln Taxi Company, Louisville, Kentucky.

Maud Greer Brown, d/b/a Central Cab Company, Louisville, Kentucky.

Richard Lewis, d/b/a Central Cab Company, Louisville, Kentucky.

Hannah Florence McGhee, d/b/a Central Cab Company, Louisville, Kentucky.

James Merriweather, d/b/a Central Cab Company, Louisville, Kentucky.

Winfred Talbert, d/b/a City Cab Company, Louisville, Kentucky.

Robert Shelman, d/b/a City Cab Company, Louisville, Kentucky.

John Lewis, d/b/a City Cab Company, Louisville, Kentucky.

Robert L. Hurd, d/b/a City Cab Company, Louisville, Kentucky.

John H. Henderson, Jr., d/b/a City Cab Company, Louisville, Kentucky.

Frank Crowell, d/b/a City Cab Company, Louisville, Kentucky.

[F. R. Doc. 44-297; Filed, January 6, 1944; 11:02 a. m.]

[ODT 20A, Supp. Order 54]

CERTAIN TAXICAB OPERATORS

COORDINATED OPERATIONS IN MADISON, WIS., AREA

Upon consideration of a plan for joint action filed with the Office of Defense Transportation by the persons named in Appendix 1 hereof (hereinafter called "operators") pursuant to General Order ODT 20A (8 F.R. 9231), a copy of which plan is attached hereto as Appendix 2,¹ and it appearing that the operators propose, by the plan, to coordinate their taxicab operations within the area of Madison, Wisconsin, so as to assure maximum utilization of their facilities, services and equipment, and to conserve and providently utilize vital equipment; materials and supplies, and to provide for the prompt and continuous movement of necessary traffic, the attainment of which purposes is essential to the successful prosecution of the war, *It is hereby ordered, That:*

1. The plan for joint action above referred to is hereby approved, and the operators are directed to place the plan into operation forthwith, subject to the following provisions, which shall supersede any provisions of such plan that are in conflict therewith.

2. Each of the operators shall forthwith file a copy of this order with the appropriate regulatory body or bodies having jurisdiction over any operations affected by this order.

3. The provisions of this order shall not be construed or applied as to permit any operator named herein to alter his

legal liability to any passenger. In the event that compliance with any term of this order, or effectuation of any provision of such plan, would conflict with, or would not be authorized under, the existing operating authority of any operator named herein, such operator forthwith shall apply to the appropriate regulatory body or bodies for the granting of such operating authority as may be requisite to compliance with the terms of this order, and shall prosecute such application with all possible diligence. The coordination of operations directed by this order shall be subject to the operators possessing or obtaining the requisite operating authority.

4. All records of the operators pertaining to any transportation performed pursuant to this order and to the provisions of such plan shall be kept available for examination with inspection at all reasonable times by accredited representatives of the Office of Defense Transportation.

5. The plan for joint action hereby approved and all contractual arrangements made by the operators to effectuate the plan shall not continue in operation beyond the effective period of this order.

6. Any operator duly authorized or permitted to operate taxicabs within the area herein described, and having suitable equipment and facilities therefor, may make application in writing to the Division of Motor Transport, Office of Defense Transportation, Madison, Wisconsin, for authorization to participate in the plan. A copy of each such application shall be served upon each of the operators named in this order. Upon receiving authorization to participate in the plan, each such operator shall become subject to this order and shall thereupon be entitled and required to participate in the plan in accordance with all of the provisions and conditions of this order, in the same manner and degree as the operators named herein.

7. Communications concerning this order should refer to "Supplementary Order ODT 20A-54" and, unless otherwise directed, should be addressed to the Division of Motor Transport, Office of Defense Transportation, Madison, Wisconsin.

8. This order shall become effective January 20, 1944, and shall remain in full force and effect until the termination of the present war shall have been duly proclaimed, or until such earlier time as the Office of Defense Transportation by further order may designate.

Issued at Washington, D. C., this 6th day of January 1944.

JOSEPH B. EASTMAN,

Director,

Office of Defense Transportation.

APPENDIX 1

City Car Co., 531 State Street, Madison, Wisconsin.

Yellow Cab & Transfer Company, 643 E. Wilson Street, Madison, Wisconsin.

Checker Cab & Transfer Co., 148 So. Blair Street, Madison, Wisconsin.

[F. R. Doc. 44-298; Filed, January 6, 1944; 11:03 a. m.]

¹ Filed as part of the original document.

OFFICE OF PRICE ADMINISTRATION.

Regional and District Office Orders.

[Region I Order G-34 Under RMPR 122]

SPECIFIED SOLID FUELS IN BATH, MAINE, AREA

Order No. G-34 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and the Emergency Price Control Act of 1942, as amended, it is hereby ordered:

(a) *Maximum prices established by this order.* The maximum prices established by §§ 1340.252, 1340.254, 1340.256, 1340.257 and 1340.265 of Revised Maximum Price Regulation No. 122 for sales of specified kinds of solid fuels in the Bath, Maine Area by dealers, and for specified services rendered by dealers in connection with the sale or handling of said specified solid fuels, are hereby modified, so that the maximum prices therefore shall be the prices hereinafter set forth.

Maximum prices are established for (1) sales of various quantities of the specified solid fuels to various classes of purchasers under various conditions of delivery; and (2) charges which may be made, in addition to such maximum prices for the specified solid fuels, for specified services.

The geographical applicability of this Order G-34 is explained in paragraph (g) and the terms used herein are defined in paragraph (h).

Except as otherwise specifically provided herein, the provisions of Revised Maximum Price Regulation No. 122 apply to all transactions which are the subject of this Order G-34. Specifically, but without limiting the generality of the foregoing, the prohibitions contained in § 1340.252 apply except to the extent that this Order G-34 provides uniform allowances, discounts, price differentials, service charges, and so forth. Nothing contained in this order shall be so construed as to permit non-compliance with any statutes of the State of Maine, or any rules or regulations promulgated under any such statutes, concerning sales or deliveries of solid fuels.

(b) *Price Schedule I; sales on a delivered basis.* (1) Price Schedule I sets forth base maximum prices for sales of specified kinds, sizes and quantities of solid fuels on a "direct delivery" basis to consumers at any point in the Bath, Maine Area.

Kind and size	Per net ton	½ ton	¼ ton	100 lbs.
Pennsylvania anthracite:				
Broken, egg, stove, and chestnut.....	\$17.25	\$8.90	\$4.55	\$1.00
Pea.....	15.70	8.10	4.20	.90
Buckwheat.....	13.85	7.05	3.65	.80
Rice.....	12.45	6.50	3.35	.75
Yard screenings.....	5.50			
Coke:				
Egg, stove, and chestnut.....	17.00	8.75	4.50	1.00
Ambricoal.....	15.00	7.75	4.00	.90

(2) *Prices for specified localities.* (a) The foregoing base prices in Price Sched-

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ule I shall apply to deliveries to consumers whose bins or storage facilities are located in the following places in the Bath, Maine Area: Bath, West Bath, Woolwich and Phippsburg, except for points beyond Winnegance.

(b) The following amounts may be added to the foregoing base prices in Price Schedule I for deliveries to consumers whose bins or storage facilities are located in the following places in the Bath, Maine Area:

	Per net ton	½ ton	¼ ton
Arrowsic, Georgetown, and points beyond Winnegance in Phippsburg.....	\$0.50	\$0.25	\$0.15

(3) *Maximum authorized service charges.* (a) The maximum prices per 100 pounds include carrying or wheeling to buyer's bin or storage space. If the buyer requests such service of him, the dealer may make the following charges for carrying or wheeling of quarter-ton and larger quantities to the buyer's bin or storage space:

	Per net ton	Per ½ ton	Per ¼ ton
For any carry or wheeling from a "direct delivery" point.....	\$0.50	\$0.25	\$0.15

(b) If the buyer requests that fuel delivered in burlap bags furnished by the dealer be left in the bags, the maximum amount which may be charged by the dealer for bags furnished by him shall be 15 cents per bag.

(c) *Price Schedule II; yard sales to consumers.* (1) Price Schedule II sets forth maximum prices for sales of specified kinds, sizes and quantities of solid fuels delivered at the yard of any dealer in the Bath, Maine, area to consumers.

Kind and size	Per net ton	½ ton	¼ ton	100 lbs.
Pennsylvania anthracite:				
Broken, egg, stove, and chestnut.....	\$16.75	\$8.65	\$4.45	\$0.95
Pea.....	15.20	7.85	4.05	.85
Buckwheat.....	13.05	6.80	3.50	.75
Rice.....	11.95	6.25	3.25	.70
Yard screenings.....	5.00			
Coke:				
Egg, stove, and chestnut.....	16.50	8.50	4.40	.95
Ambricoal.....	14.50	7.50	3.90	.85

(2) *Maximum authorized bagging charges.* (a) The maximum prices per 100 pounds are for 100 pounds bagged, but do not include the bag. If the buyer requests such service of him, the dealer may make the following charges for bagging tons, one-half tons and one-quarter tons, exclusive of any charges for bags furnished by the dealer:

	Cents
Per net ton.....	50
Per half-ton.....	25
Per quarter-ton.....	15

(b) The maximum amount which may be charged by the dealer for burlap bags furnished by him shall be 15 cents per bag.

(d) *Price Schedule III; yard sales to dealers.* (1) Price Schedule III sets forth maximum prices for sales of specified kinds, sizes and quantities of solid fuels delivered at the yard of any dealer in the Bath, Maine, Area to dealers in fuels who resell them.

Kind and size	Per net ton	½ ton	¼ ton
Pennsylvania anthracite:			
Broken, egg, stove, and chestnut.....	\$15.25	\$7.90	\$4.05
Pea.....	13.70	7.10	3.70
Buckwheat.....	11.55	6.05	3.15
Rice.....	10.45	5.50	2.85
Yard screenings.....	3.50		
Coke:			
Egg, stove, and chestnut.....	15.00	7.75	4.00
Ambricoal.....	13.00	6.75	3.50

(2) *Maximum authorized bagging charges.* (a) If the buyer requests such service of him, the seller, may make the following charges for bagging, exclusive of any charges for bags furnished by the seller.

	Cents
Per net ton.....	50
Per half-ton.....	25
Per quarter-ton.....	15

(b) The maximum amount which may be charged by the seller for burlap bags furnished by him shall be 15 cents per bag.

(e) *Terms of sale.* If payment is made by the buyer within 10 days after receipt of the fuel the maximum prices set forth in paragraphs (b), (c) and (d), shall, except in the case of Pennsylvania anthracite yard screenings, be reduced by the following amounts:

	Per net ton	Per ½ ton	Per ¼ ton
Coke and Pennsylvania anthracite (except Pennsylvania anthracite yard screenings).....	\$1.00	\$0.50	\$0.25
Ambricoal.....	.50	.25	.10

which reductions are "cash discounts". No further discount is required for cash on delivery, and no "cash discount" is required on sales of Pennsylvania anthracite yard screenings or on any sales of less than a quarter-ton. If payment is not required or made at the time of delivery or (except in the cases of yard screenings and less than quarter-ton lots) within 10 days thereafter, terms shall be net 30 days.

(f) *Transportation tax.* Any dealer subject to this order may collect, in addition to the specified maximum prices established herein, provided he states it separately, the amount of the transportation tax imposed by section 620 of the Revenue Act of 1942 actually paid or incurred by him, or an amount equal to the amount of such tax paid by any of his prior suppliers and separately stated and collected from the dealer by his supplier; *Provided, however,* That no part of that tax may be collected in addition to the maximum price on sales of lesser quantities than one-quarter ton.

(g) *Geographical applicability.* The maximum prices established by this Order G-34 for "yard sales" shall apply to all such sales of the specified solid

fuels at a yard located in the Bath, Maine, Area, regardless of the ultimate destination of the fuel. The maximum prices established by this order for sales on a delivered basis shall apply to all such sales of the specified solid fuels to purchasers who receive delivery of the fuel within the Bath, Maine, Area, regardless of whether the dealer is located within said area.

(h) *Definitions.* When used in this Order G-34, the term:

(1) "Bath, Maine, Area" shall include the following cities and towns in the State of Maine: Arrowsic, Bath, Georgetown, Phippsburg, West Bath and Woolwich.

(2) "Specified solid fuels" shall include all Pennsylvania Anthracite, Ambricoal and Coke.

(3) "Pennsylvania anthracite" means coal produced in the Lehigh, Schuylkill and Wyoming regions in the Commonwealth of Pennsylvania.

(4) "Broken", "egg", "stove", "chestnut", etc. sizes of Pennsylvania anthracite refer to the sizes of such coal prepared at the mine in accordance with standard sizing specifications adopted by the Anthracite Emergency Committee, effective December 15, 1941.

(5) "Ambricoal" means anthracite briquettes manufactured by American Briquet Company at its plant at Lykens, Pennsylvania, and marketed under that trade name.

(6) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(7) "Direct delivery" means dumping or chuting the fuel from the seller's truck or wagon directly into the buyer's bin or storage space; but, if that is physically impossible, the term means discharging the fuel directly from the seller's truck at the point where this can be done which is nearest and most accessible to the buyer's bin or storage space.

(8) "Carry" and "wheel" refer to the movement of fuel to buyer's bin or storage space by wheelbarrow, barrel, bag, sack or otherwise from the dealer's truck or wagon, or from the point of discharge therefrom, to buyer's bin or storage space.

(9) "Yard sales" shall mean deliveries made by the dealer in his customary manner at his yard.

(10) Except as otherwise specifically provided, and unless the context otherwise requires, the definitions set forth in §§ 1340.255 and 1340.266 of Revised Maximum Price Regulation No. 122 shall apply to the terms used herein.

(i) *Lower prices permitted.* Lower prices than those set forth herein may be charged, paid or offered.

(j) *Posting of maximum prices: Sales slips and receipts.* (1) Every dealer subject to this Order G-34 shall post all of the maximum prices established hereby which apply to the types of sales made by him in his place of business in a manner

plainly visible to and understandable by the purchasing public, and shall keep a copy of this Order G-34 available for examination by any person during ordinary business hours. In the case of a dealer who sells directly to consumers from a truck or wagon, the posting shall be done on the truck or wagon. The prices established hereby need not be reported under § 1340.262 (c) of Revised Maximum Price Regulation No. 122.

(2) Every dealer selling solid fuel for sales of which a maximum price is set by this Order G-34 shall give to each purchaser an invoice or similar document showing (a) the date of the sale or delivery, the name and address of the dealer and of the buyer, the kind, size and quantity of the solid fuel sold, and the price charged; and (b) separately stating any special services rendered and deposit charges made and the amount charged therefor. This paragraph (j) (2) shall not apply to sales of quantities of less than one-quarter ton unless the dealer customarily gave such a statement on such sales.

(3) In the case of all other sales, every dealer who during December, 1941, customarily gave buyers sales slips or receipts shall continue to do so. If a buyer requests of a seller a receipt showing the name and address of the dealer, the kind, size and quantity of the solid fuel sold to him or the price charged, the dealer shall comply with the buyer's request as made by him.

(k) *Records.* Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof, showing the date, the name and address of the buyer (if known), the per net ton price charged and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in this order. The record shall also separately state each service rendered and the charge made for it.

(l) *Petitions for amendment.* Any person seeking an amendment of any provisions of this Order may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, except that the petition shall be filed in the Boston Regional Office of the Office of Price Administration. No appeal from a denial in whole or in part of such petition by the Regional Administrator may be made to the Price Administrator.

(m) This order may be revoked, amended or corrected at any time.

NOTE: The reporting and record keeping provisions of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order No. G-34 shall become effective December 31, 1943.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong. E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 27th day of December 1943.

GORDON K. CREIGHTON,
Acting Regional Administrator.

[F. R. Doc. 44-254; Filed, January 5, 1944; 12:38 p. m.]

[Region II Order G-10 Under MPR 329]

FLUID MILK IN CHAUTAUQUA COUNTY, N. Y.

Order No. G-10 under Maximum Price Regulation No. 329, as amended. Purchasers of milk from producers for resale as fluid milk.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1351.408 of Maximum Price Regulation No. 329, as amended, *It is hereby ordered:*

(a) The maximum price at which a purchaser in the course of trade or business may purchase or receive from a producer Grade A Class I fluid milk which is thereafter resold as such in the cities of Dunkirk or Jamestown, or in the villages of Fredonia, Celoron, Falconer and Lakewood, all in the County of Chautauqua in the State of New York, or in other places in the County of Chautauqua where such purchaser's maximum wholesale price for Grade A Class I fluid milk is 12¢ per quart or maximum retail price is 14¢ per quart, shall be the higher of either of the following:

(1) The maximum price established under Maximum Price Regulation No. 329, as amended, or

(2) \$3.30 per cwt., f. o. b. purchaser's receiving or processing plant for such milk having a butterfat content of 3.5% plus or minus 4¢ for each 1/10 of 1% butterfat content in excess of or below 3.5%, as the case may be.

(b) *Definitions.* When used in this order, the term:

(1) "Grade A Class I fluid milk" shall have the meanings prescribed by the Sanitary Code, Chapter 3, (Revised to February 26, 1941) established by the Public Health Council of the State of New York, and issued by the New York State Department of Health.

(2) "F. o. b. the purchaser's receiving or processing plant" means delivery at or to a receiving or processing plant which is either owned by the purchaser or in which with respect to the particular purchase the Grade A Class I fluid milk purchased from the producer is actually received by such purchaser.

(3) Unless the context manifestly otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, issued by the Office of Price Administration, shall apply to other terms herein.

(c) *Geographical applicability.* This order applies to all purchases of Grade A Class I fluid milk pursuant to which a purchaser receives physical delivery within the geographic limits of Region II, and which is thereafter sold as Class I fluid milk by such purchaser in the County of Chautauqua as indicated in paragraph (a) hereof.

(d) This order may be revoked, amended or corrected at any time.

This order shall become effective the 21st day of December 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 21st day of December 1943.

DANIEL P. WOOLLEY,
Regional Administrator.

Approved:

F. D. CRONIN,
Regional Director.

[F. R. Doc. 44-243; Filed, January 5, 1944;
12:34 p. m.]

[Region III Order G-14 Under MPR 329]

FLUID MILK IN CERTAIN DESIGNATED COUNTIES IN KENTUCKY

Order No. G-14 under Maximum Price Regulation No. 329. Purchases of milk from producers for resale as fluid milk.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1351.408 of Maximum Price Regulation No. 329, it is hereby ordered:

(a) Any milk distributor in the County of Calloway in the State of Kentucky may pay producers an amount not in excess of 71¢ per lb. butterfat on \$2.84 per cwt. for 4% milk on a straight basis.

(b) Any milk distributor in the County of Graves in the State of Kentucky may pay producers an amount not in excess of \$3.15 per cwt. for 4% milk, plus or minus .05¢ for each 1/10 of 1% butterfat variation over or under 4%.

(c) Any milk distributor in the County of McCracken in the State of Kentucky may pay producers an amount not in excess of \$3.15 per cwt. for 4% milk, plus or minus .05¢ for each 1/10 of 1% butterfat variation over or under 4%.

(d) Any milk distributor increasing his price to producers for "milk" pursuant to the provisions of this order shall, within five days of such action, notify the Regional Office of the Office of Price Administration, Union Commerce Building, Cleveland, Ohio, by letter or postcard, of his price established pursuant to the provisions of this order, together with a statement of his previous price.

(e) The provisions of this order supersede and replace the provisions of Order No. G-3 under Maximum Price Regulation No. 329, Purchases of Milk from Producers for Resale as Fluid Milk and Order No. G-6 under Maximum Price Regulation No. 329, Purchases of Milk from Producers for Resale as Fluid Milk. Said Order No. G-3 is therefore revoked as to distributors located in the Counties of Calloway and Graves in the State of Kentucky and Order No. G-6 is therefore revoked as to distributors located in the County of McCracken in the State of Kentucky.

(f) *Definitions.* (1) "Milk distributor" is defined to mean an individual, corporation, partnership, association, or any other organized group of persons or successors of the foregoing who purchases "milk" in a raw and unprocessed state

for the purposes of resale as fluid milk in glass, paper or other containers.

(2) "Producer" means a farmer, or other person or representative who owns, superintends, manages, or otherwise controls the operations of a farm on which "milk" is produced. For the purposes of this order, farmers' cooperatives are producers when (1) they do not own or lease physical facilities for receiving, processing, or distributing milk, and (2) they do own or lease physical facilities for receiving, processing or distributing milk, but they act as selling agents for producers, whether members of such cooperative or not.

(3) "Milk" means liquid cow's milk in a raw, unprocessed state, which is purchased for resale for human consumption as fluid milk. "In a raw, unprocessed state" means unpasteurized and not sold and delivered in glass or paper containers.

(g) This order may be modified, amended or revoked at any time.

This order shall become effective December 4, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued December 4, 1943.

BIRKETT L. WILLIAMS,
Regional Administrator.

[F. R. Doc. 44-239; Filed, January 5, 1944;
12:32 p. m.]

[Region IV Order G-14 Under RMPR 122]

SOLID FUELS IN DURHAM, N. C.

Order No. G-14 under § 1340.260 of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels in the City of Durham in the State of North Carolina.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122, it is hereby ordered:

(a) *What this order does.* (1) This order establishes maximum prices for sales of specified solid fuels when the delivery is made to any point within the corporate limits of the City of Durham, North Carolina, and the area lying within ten miles thereof by the most direct highway route.

(2) This order contains a price schedule applicable to sales of high volatile bituminous coal from District 8 and low volatile bituminous coal from District 7.

(b) *What this order prohibits.* Regardless of any obligation, no person shall:

(1) Sell or, in the course of trade or business, buy solid fuels at prices higher than the maximum prices set by this Order No. G-14 but less than maximum prices may at any time be charged, paid or offered.

(2) Obtain a higher than maximum price by:

(i) Charging for a service which is not expressly requested by the buyer and

which is not specifically authorized by this order.

(ii) Using any tying agreement or making any requirement that anything other than the fuel requested by the buyer be purchased by him, or

(iii) Using any other device by which a higher than maximum price is obtained, directly or indirectly.

(c) *Price schedule; consumer sales.*

(1) This price schedule sets forth maximum prices for sales of specified solid fuels when delivery is made to any point within the corporate limits of the City of Durham, North Carolina, and the area lying within ten miles thereof by the most direct highway route.

(i) "Direct delivery or domestic" basis.

LOW VOLATILE BITUMINOUS COAL FROM DISTRICT NO. 7

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.	Per ¼ ton 500 lbs.
Stove.....	\$10.75	\$5.38	\$3.07
Nut.....	9.65	4.83	3.07
Stoker.....	9.25	4.63	3.07

HIGH VOLATILE BITUMINOUS COAL FROM DISTRICT NO. 8

Size	Per ton 2,000 lbs.	Per ½ ton 1,000 lbs.	Per ¼ ton 500 lbs.
Egg (A to D classification).....	\$10.85	\$5.43	\$3.05
Virginia egg.....	10.20	5.10	3.05
West Virginia egg.....	9.95	4.98	3.05
Stove.....	9.65	4.83	3.05
Stoker.....	9.35	4.69	3.05
Nut and slack.....	7.70	3.85	

(ii) *Special sales and services—(a) Carry or wheel service.* If buyer requests such service, the dealer may charge not more than \$1.00 per ton for such service.

(b) *Sack coal.* For splint coal in sacks the dealer may charge not more than 56¢ for 100 pounds and 31¢ for 50 pounds at the yard, plus 15¢ per sack if the dealer furnishes the sack. No deliveries of sack coal will be required if in quantities of less than 200 pounds. If the dealer delivers sack coal, he may charge not more than 68¢ per 100 pounds delivered, plus 15¢ per sack if the dealer leaves the dealer's sack with the purchaser.

(c) *Yard sales.* When the purchaser picks up coal at the dealer's yard, the dealer must reduce his domestic price at the rate of \$1.00 per ton.

(d) *Quantity.* When the purchaser purchases in carloads, the dealer must reduce his domestic price \$1.00 per ton on all grades except stoker coal, on which the reduction must be 50¢ per ton.

(e) *Delivery zone.* For deliveries beyond the corporate limits of the City of Durham, North Carolina, and within a hauling distance of ten miles thereof, the dealer may add not more than 10¢ per ton per mile, said mileage to be determined by the actual highway mileage from the city limits to the point of delivery by the most direct highway route. Dealer may make a minimum charge of 50¢ per ton for any delivery beyond the city limits of Durham, North Carolina.

(f) *Sales tax.* The State sales tax of 3% may be added to the prices established by this order.

(g) *Credit.* No additional charges over the prices provided in this order may be made for the extension of credit.

(d) *Ex parte 148 freight rate increase; transportation tax*—(1) *The freight rate increase.* Since the Ex Parte 148 freight rate increase has been rescinded by the Interstate Commerce Commission, the dealer's freight rates are the same as those of December 1941. Therefore, no dealer may increase any schedule price on account of freight rates.

(2) *The transportation tax.* Only the transportation tax imposed by section 620 of the Revenue Act of 1942 may be collected in addition to the maximum prices set by this order provided the dealer states it separately from the price on the statement given to the buyer under paragraph (j) (2). (This tax need not be stated separately in sales to the United States or any agency thereof—see Amendment 12 to Revised Maximum Price Regulation 122.) No part of this tax may be collected in addition to the maximum prices on sales of quarter-ton or lesser quantities or on sales of any quantity of bagged coal.

(e) *Addition of increase in supplier's prices prohibited.* The maximum prices set by this order may not be increased by a dealer to reflect increases in purchase costs or in supplier's maximum prices occurring after the effective date hereof; but increases in the maximum prices set hereby to reflect such increases are within the discretion of the Administrator.

(f) *Power to amend or revoke.* The Price Administrator or Regional Administrator may amend, revoke, or rescind this order, or any provision thereof, at any time.

(g) *Petitions for amendment.* Any person seeking an amendment to this order may file a petition for amendment in accordance with Revised Procedural Regulation No. 1 except that the petition shall be filed with the Regional Administrator and acted upon by him.

(h) *Applicability of other regulations.* Every dealer subject to this order is governed by the licensing provisions of Supplementary Order No. 72. This provides in brief that a license is granted to all persons selling, at retail, commodities for which maximum prices are established. The license may be suspended for violation in connection with the sale of any commodity for which maximum prices are established. If a dealer's license is suspended, he may not sell any such commodity during the period of suspension.

(i) *Records and reports.* Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof showing the date, the name and address of the buyer, if known, the per net ton price charged, and the solid fuel sold. The solid fuel shall be identified in the manner in which it is described in the order. The record shall also separately state each service rendered and the charge made for it.

It is not necessary that these maximum prices be filed with the War Price and Rationing Boards.

(j) *Posting of maximum prices; sales slips and receipts.* (1) Each dealer subject to this order shall post all the max-

imum prices set by it for all his types of sales. He shall post his prices in his place of business in a manner plainly visible to and understandable by the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuel.

(2) Every dealer selling solid fuel for sales of which a maximum price is set by this order shall, within thirty days after the date of delivery of the fuel, give to the buyer a statement showing: the date of the sale, the name and address of the dealer and of the buyer, the kind, size and quantity of the solid fuel sold, the price charged and separately stating, any item which is required to be separately stated by this order. This paragraph (j) (2) shall not apply to sales of quantities of less than quarter-ton or to sales of bagged coal unless the dealer customarily gave such a statement on such sales.

(3) In the case of all other sales, every dealer who during December, 1941, customarily gave buyers sales slips or receipts shall continue to do so. If a buyer requests of a seller a receipt showing the name and address of the dealer, the kind, size and quantity of the solid fuel sold to him or the price charged, the dealer shall comply with the buyer's request as made by him.

(k) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the Raleigh District Office of the Office of Price Administration.

(l) *Definitions and explanations.* When used in this Order No. G-14, the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor representative of any of the foregoing, and includes the United States, any other government, or any agency or subdivision of any of the foregoing.

(2) "Sell" includes sell, dispose, barter, exchange, supply, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase", and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(4) "Direct delivery" means dumping or chuting the fuel from the seller's truck directly into the buyer's bin or storage space; but, if this is physically impossible, the term means discharging the fuel directly from the seller's truck at a point where this can be done and at the point nearest and most accessible to the buyer's bin or storage space.

"Direct delivery" of bagged fuel or any fuel in quarter-ton or lesser lots always

means delivery to the buyer's storage space.

(5) "Carry or wheel service" refers to the movement of fuel to the buyer's bin or storage space by wheelbarrow, barrel, sack or otherwise from the seller's truck or from the point of discharge therefrom when made in the course of "direct delivery".

(6) "Yard sales" shall mean deliveries made by the dealer in his customary manner at his yard or at any place other than his truck.

(7) "District No." refers to the geographical bituminous coal-producing districts as delineated and numbered by the Bituminous Coal Act of 1937, as amended, as they have been modified by the Bituminous Coal Division and as in effect at midnight August 23, 1943.

(8) "High volatile bituminous coal" and "low volatile bituminous coal" refer to coal produced in certain sections of the producing district specified herein.

(9) "Egg, stove, stoker, etc." sizes of bituminous coal refer to the size of such coal as defined in the Bituminous Coal Act of 1937, as amended, and as prepared at the mine in accordance with the applicable minimum price schedule promulgated by the Bituminous Coal Division of the United States Department of the Interior and in effect (or established) as of midnight August 23, 1943. Where the applicable minimum price schedule does not make specific mention of any size designated in this Order, such size designation shall refer to the sizes of bituminous coal sold as such during December, 1941, in the area covered by this Order.

(10) Except as otherwise provided herein or as the context may otherwise require, the definitions set forth in §§ 1340.355 and 1340.266 of Regulation No. 122 shall apply to terms used herein.

(m) *Effect of order on Revised Maximum Price Regulation No. 122.* To the extent applicable, the provisions of this order supersede Revised Maximum Price Regulation No. 122.

NOTE: The record keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This Order No. G-14 shall become effective January 4, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued December 30, 1943.

JAMES C. DERIEUX,
Regional Administrator.

[F. R. Doc. 44-244; Filed, January 5, 1944; 12:34 p. m.]

[Region V Order G-1 Under RMPR 122]

SOLID FUELS IN ST. LOUIS, MO., AND PARTS OF ST. LOUIS COUNTY, MO.

Order No. G-1 under Revised Maximum Price Regulation No. 122. Maximum prices for solid fuels sold in the City of St. Louis, Missouri, and parts of St. Louis County, Missouri.

Pursuant to the authority vested in the Regional Administrator of Region V by § 1340.260 of Revised Maximum Price

Regulation No. 122 and for reasons stated in the opinion issued herewith, it is ordered:

(a) *What this order does.* This order establishes maximum prices for sales of specified solid fuels delivered at or to any point in the greater St. Louis, Missouri, metropolitan area. These are the highest prices that any dealer may charge when he sells or delivers any of such fuel at or to a point in the City of St. Louis, Missouri, and that part of the County of St. Louis, Missouri, lying between the corporate limits of the City of St. Louis and the following described boundary line: Commencing at the Chain of Rocks Bridge, thence west along Missouri State Highway No. 77 to Lindbergh Boulevard, thence south along Lindbergh Boulevard to the northern boundary of the City of Kirkwood, Missouri, thence along the northern, western, and southern boundaries of the City of Kirkwood, Missouri, to Lindbergh Boulevard, thence west to Geyer Road, thence south along Geyer Road to Big Bend Road, thence east along Big Bend Road to Lindbergh Boulevard, thence south and east along Lindbergh Boulevard to the western boundary of Jefferson Barracks, thence north and east along the boundary of Jefferson Barracks to the Mississippi River. The boundary line so described shall be construed as following the center of the public highways named.

(1) *Solid fuels not covered by this order.* There are a few kinds and sizes of solid fuels covered by Revised Maximum Price Regulation No. 122 sold and delivered in the area covered by this order which are not included in and for which prices are not established in this order. The maximum prices of such solid fuels when sold by any person covered by this order shall continue to be the maximum prices for such fuels established by Revised Maximum Price Regulation No. 122, as amended. Such sales shall in all respects be governed by the provisions of Revised Maximum Price Regulation No. 122, as amended.

(b) *What this order prohibits.* Regardless of any obligation no person shall:

(1) Sell, or in the course of trade or business buy, solid fuels at prices higher than the maximum prices set by this Order No. G-1; but less than the maximum prices may at any time be charged, paid or offered.

(2) Obtain higher than maximum prices by

(i) Charging for a service unless such service is expressly requested by the buyer and unless specifically authorized to do so by this order;

(ii) Charging a price higher than the schedule price for a service;

(iii) Using any tying agreement or requiring that the buyer purchase anything in addition to the fuel requested by him; or

(iv) Using any other device by which a higher than maximum price is obtained directly or indirectly.

(c) *Price schedule.* (1) Below and a part of this paragraph is the maximum price schedule which sets forth maximum prices for sales by direct delivery of specified sizes, kinds, and quantities of solid fuels.

MAXIMUM PRICE SCHEDULE¹

Description of fuel	Maximum price per ton
I. High Volatile Bituminous Coal from District 10 (Illinois):	
(A) Belleville Sub-District:	
1. Lump, larger than 2"; Egg, top size—no limit, bottom size 3" to larger than 2"-----	\$6.30
2. Lump, larger than 1½"; Egg, top size—no limit, bottom size 2" to larger than 1½"-----	6.00
3. Stoker 1½" x 28 Mesh-----	5.75
4. Stoker or screenings other than 1½" x 28 Mesh (Raw)-----	5.50
(B) Central Sub-District:	
1. Lump, larger than 2"; Egg top size—no limit, bottom size 3" to larger than 2"-----	6.30
2. Egg, Nut & Pea, top size not exceeding 3", bottom size 3" and larger-----	6.30
3. Stoker, ¾" x 10 Mesh-----	6.10
4. Stoker, ¾" x 28 Mesh-----	5.85
(C) DuQuoin Sub-District (Price Group 11):	
1. Lump, larger than 4"-----	7.05
2. Egg, top size—no limit, bottom size 4" to larger than 2"-----	6.85
3. Stoker, ¾" x 10 Mesh-----	6.65
4. Stoker, single screened coals; top size 1½" and smaller (Raw)-----	5.80
(D) Southern Sub-District (Price Groups 1, 2, and 8):	
1. Lump, larger than 4"-----	7.40
2. Egg, top size—no limit, bottom size 3" to larger than 2"-----	7.35
3. Small Egg, top size 4", bottom size 2" to larger than 1½"-----	7.10
4. Stove and Nut, top size 2", bottom size larger than 10 Mesh or ¾"-----	6.85
5. Pea, ¾" x ¾"-----	6.75
6. Stoker, ¾" x 28 Mesh-----	6.35
7. Stoker, raw single screened coal; top size 1½" to larger than ¾"-----	6.35
8. Stoker, top size 1½", bottom size 10 Mesh or 28 Mesh-----	6.45
9. Stoker, top size ¾", bottom size larger than 10 Mesh or ¾"-----	7.00
II. High Volatile Bituminous Coal from District 11 (Indiana):	
1. Block or lump, larger than 4"-----	7.60
III. Low Volatile Bituminous Coal from Districts 1, 7, and 8 (Pennsylvania, Virginia, and West Virginia):	
1. Lump; Egg, double screened coal with a top size larger than 3"; Stove, top size 3" to larger than 1½" bottom size smaller than 3"-----	10.10
2. Nut, top size 1½" to larger than ¾", bottom size smaller than 1½"-----	9.50
3. Domestic run of mine-----	9.90
IV. Pennsylvania anthracite:	
1. Egg, stove, and nut-----	15.50
2. Pea-----	13.95
3. Buckwheat-----	12.65
V. Coke:	
1. Furnace, By-Product, top size 4", bottom size 1½"-----	11.35
2. Chestnut, By-Product, top size 1½", bottom size ¾" (Based on Furnace)-----	11.35
3. Low Temperature, produced in St. Clair and Franklin Counties, top size no limit, bottom size ¾"-----	9.00
VI. Briquettes:	
1. Made in Arkansas from District 14, Low-Vol. Coal-----	12.10
2. Made in West Virginia from District 7 or 8, Low-Vol. Coal-----	11.40
3. Made in Illinois from Southern Illinois High-Vol. Coal-----	8.00

¹ Except where so indicated by the word "Raw" all stoker coals included in the foregoing schedule are washed or air cleaned.

(2) The prices set forth in the foregoing schedule are per ton prices on sales of the specified fuels in quantities of two tons or more.

(3) On sales of one ton or more but less than two tons the dealer may add an additional charge not to exceed 50¢ to the schedule price.

(4) On sales of less than one ton, except sales covered by paragraph (e) below, the dealer may add an additional charge not to exceed \$1.00 to the schedule price.

(5) When sales are made for cash, a cash discount of 25¢ per ton shall be applied to the per ton price in the foregoing schedule or as computed above on sales involving quantities of less than two tons. This cash discount, however, shall apply only on sales made by dealers who allowed a cash discount on the major portion of their sales of solid fuels in December 1941. Cash and credit, as used in this paragraph, shall mean the terms of sale of the dealer in effect on the effective date of Revised Maximum Price Regulation No. 122.

(6) On sales of solid fuel by one dealer to another dealer the price shall not be less than \$1.75 per ton under the maximum price of the fuel as set forth in the foregoing schedule.

(7) On sales to commercial and industrial users a discount of 75¢ per ton shall be applied to the prices set forth in the foregoing schedule. A commercial or industrial user, for the purposes of this order, shall mean any person who purchases for use fifty or more tons of coal per annum.

(8) All dealers making sales under this order must maintain all discounts not specifically set forth in this order which were in effect during the major portion of December 1941.

(d) *Service charges.* (1) Below and as a part of this paragraph (d) is a schedule that sets forth maximum prices which a dealer may charge for special services rendered in connection with all sales under paragraph (c). These charges may be made only if the buyer requests such service of the dealer and only when the dealer renders the service. Such service shall be separately stated in the dealer's invoice, sales slip or receipt.

(i) A service charge not to exceed 75¢ per ton may be charged for the service described as job, carry or wheel-in service, in the case of all solid fuels except coke.

(ii) On sales of coke a service charge of not to exceed \$1.00 per ton may be added.

(e) On sales of Low Volatile Bituminous Coal, minimum ¾ inches, in quantities less than ½ ton, delivered, the maximum price shall be 50¢ per bushel of a minimum weight of eighty pounds.

(f) *Ex parte 148 freight rate increase; transportation tax; Missouri State sales tax—(1) The freight rate increase.* Since the ex parte 148 freight rate increase has been rescinded by the Interstate Commerce Commission, the dealers' freight rates are the same as those of December, 1941. Therefore, no dealer may increase any schedule price on account of freight rates.

(2) *The transportation tax.* Only the transportation tax imposed by section 620 of the Revenue Act of 1942 may be collected in addition to the maximum prices set out by this order provided the dealer states it separately from the price of the fuel and lists it separately on any invoice, sales slip or receipt given to the buyer. (This tax need not be stated separately on sales to the United States or any agency thereof. See Amendment No. 12 to Revised Maximum Price Regulation No. 122). No part of this tax may be collected in addition to maximum prices on sales of $\frac{1}{4}$ ton or lesser quantities.

(3) *The Missouri sales tax.* The seller may add to the prices listed in the schedule in paragraph (c) the sales tax required to be collected by the laws of the State of Missouri. This tax shall be separately stated in the dealer's invoice, sales slip or receipt.

(g) *Addition of increase in supplier's prices prohibited.* (1) The maximum prices set out by this order may not be increased by a dealer to reflect increases in purchase costs or in supplier's maximum prices occurring after the effective date hereof; but increases in the maximum prices set hereby to reflect such increases are within the discretion of the Regional Administrator.

(h) *Power to amend or revoke.* (1) The Price Administrator or the Regional Administrator of Region V may amend, revoke, or rescind this order, or any provision thereof, at any time.

(i) *Petitions for amendment.* (1) Any person seeking an amendment to this order may file a petition for amendment in accordance with Revised Procedural Regulation No. 1 except that the petition shall be filed with the Regional Administrator and acted upon by him.

(j) *License.* (1) Every dealer subject to this order is governed by the licensing provisions of Supplementary Order No. 72. This provides in brief that a license is required of all persons selling at retail commodities for which maximum prices are established. A license is automatically granted. It is not necessary to apply for the license, but a dealer may later be required to register. The license may be suspended for violation in connection with the sale of any commodity for which maximum prices are established. If a dealer's license is suspended, he may not sell any such commodity during the period of suspension.

(k) *Records and reports.* (1) Every person making a sale of solid fuel for which a maximum price is set by this order shall keep a record thereof showing: the date, the name and address of the buyer, if known, the price charged and the kind and size of fuel sold. The fuel shall be identified in the manner in which the fuel is described in this order. The record shall also state separately each service rendered and the charge made for it.

(l) *Posting of maximum prices; sales slips and receipts.* (1) Each dealer subject to this order shall post all the maximum prices set by it for all types of sales.

He shall post his prices in his place of business in a manner plainly visible to and understandable by the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuel.

(2) In the case of all sales covered by this order every dealer who during December, 1941, customarily gave buyers sales slips or receipts shall continue to do so. In any case if a buyer requests of a seller a receipt showing the name and address of the dealer, the kind, sizes and quantity of the solid fuel sold to him on the price charged, the dealer shall comply with buyer's request and furnish such sales receipt.

(m) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the St. Louis, Missouri, District Office of the Office of Price Administration.

(n) *Definitions and explanations.* (1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, includes the United States, or any agency thereof, or any other government, or any of its political subdivisions or any agency of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale," "selling," "sold," "buy," "purchase," and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(4) "Direct delivery" means dumping or chuting the fuel from the seller's truck directly into the buyer's bin or storage space; but if this is impossible, the term means discharging the fuel directly from the seller's truck at the point nearest and most accessible to the buyer's bin or storage space.

(5) "Job," "carry," and "wheel" mean the movement or transportation of fuel to the buyer's bin or storage space from the vehicle in which delivery is made or from the point at which the fuel was dumped or unloaded in the course of direct delivery.

(6) "District No." refers to the geographical bituminous coal-producing districts as delineated and numbered by the Bituminous Coal Act of 1937, as amended, as they have been modified by the Bituminous Coal Division and as in effect at midnight August 23, 1943.

(7) "High volatile bituminous coal" means coal produced in the high volatile sections of the producing districts specified herein.

(8) "Low volatile bituminous coal" means coal containing no higher than 23% volatile matter.

(9) "Price groups" and "size groups," as used in this order, refer to the price groups and size groups established by the former Bituminous Coal Division pursuant to the Bituminous Coal Act of 1937, as amended, and as in effect at midnight, August 23, 1943.

(10) "Solid fuel" (or "solid fuels") means all solid fuel except wood and wood products, including all kinds of anthracite and semianthracite; bituminous and semi-bituminous and cannel coal; lignite; all coke, including low temperature coke (except by-product foundry and blast furnace coke, and beehive oven furnace coke produced in the State of Pennsylvania); briquettes made from coke or coal; and sea coal used for foundry facings.

(11) "Egg, stove, nut," etc., sizes of bituminous coal refer to the sizes of such coal as defined in the Bituminous Coal Act of 1937, as amended, and as prepared at the mine in accordance with the applicable minimum price schedule promulgated by the Bituminous Coal Division of the United States Department of the Interior, and in effect (or established) as of midnight August 23, 1943.

Where the minimum price schedules do not make specific mention of any size designated in this order, such size designations shall refer to the sizes of bituminous coal sold as such in the St. Louis metropolitan area during December 1941.

(12) Except as otherwise specifically provided herein or as the context may otherwise require, the definitions set forth in §§ 1340.255 and 1340.266 of Maximum Price Regulation No. 122, as amended, shall apply to the terms used herein.

(o) *Effect of this order on Revised Maximum Price Regulation No. 122.*

(1) To the extent applicable, the provisions of this Order supersede Revised Maximum Price Regulation No. 122.

(2) This Order No. G-1 shall become effective the 27th day of December, 1943.

NOTE: This order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this the 20th day of December 1943.

MAX McCULLOUGH,
Regional Administrator.

[F. R. Doc. 44-255; Filed, January 5, 1944; 12:39 p. m.]

[Region V Order G-7 Under 18 (c), Amdt. 1]
FIREWOOD IN CERTAIN COUNTIES OF DALLAS
AND FORT WORTH, TEX., DISTRICTS

Amendment No. 1 to Order No. G-7 under section 18 (c), of the General Maximum Price Regulation. Maximum prices for firewood in certain counties of the Dallas, Texas, and Fort Worth, Texas,

districts of the Office of Price Administration.

Pursuant to the Emergency Price Control Act of 1942, and the authority vested in the Regional Administrator under section 18, paragraph (c) of the General Maximum Price Regulation, and for the reasons set forth in the accompanying opinion, *It is ordered*, That Order No. G-7 issued by the Regional Administrator at Dallas, Texas, on the first day of December, 1943, establishing maximum prices for firewood in certain counties of the Dallas, Texas, and Fort Worth, Texas Districts of the Office of Price Administration, be hereby amended as follows:

Paragraph (r) (2) (ii), reading as follows: "Any loss in volume resulting from cutting four foot wood into shorter lengths shall be borne by the purchaser and not by the seller cutting the wood", shall be deleted from such order.

The following language shall be substituted therefor and become paragraph (r) (2) (ii):

(ii) Any loss in volume resulting from cutting a cord of four foot wood into shorter lengths shall be borne by the purchaser and not by the seller, regardless of whether or not ownership (title) of the wood has passed from the seller to the buyer before the wood is cut; *Provided*, That such loss or shrinkage in volume shall not exceed twenty-four cubic feet when four foot wood is cut into two foot lengths and shall not exceed thirty-two cubic feet when four foot wood is cut into lengths less than two feet; *And provided*, That no seller, selling firewood in lengths shorter than four feet, regardless of whether or not ownership (title) of the wood has passed from the seller to the buyer before the wood is cut, may deliver less than 104 cubic feet of firewood when cut in two foot lengths or less than 96 cubic feet of firewood when cut into lengths less than two feet, without a compensating reduction in the applicable per cord price for firewood set out in Order No. G-7.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued and effective at Dallas, Texas, this 31st day of December 1943.

MAX McCULLOUGH,
Regional Administrator.

[F. R. Doc. 44-240; Filed, January 5, 1944;
12:33 p. m.]

[Region VI Order G-12 Under RMPR 122]

ANTHRACITE COAL IN MILWAUKEE, WIS.

Order No. G-12 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Temporary adjusted maximum prices for anthracite coal in Milwaukee, Wisconsin.

Pursuant to the authority vested in the Regional Administrator of Region VI by § 1340.260 of Revised Maximum Price Regulation No. 122, it is ordered:

(a) *Prices established.* The maximum prices for sales of Pennsylvania anthracite coal delivered to consumers

and for sales to dealers or truckers, f. o. b. seller's yard, shall be as follows:

PENNSYLVANIA ANTHRACITE [Maximum prices per net ton]

Size of coal	Delivered ton con- sumers	Sales to dealers at yard
Egg, stove, and nut	\$15.50	\$13.15
Pea	14.00	11.60
Buckwheat	12.30	9.90
Rice	10.10	7.70

(b) *Geographical applicability.* This order shall apply to all anthracite coal sold within Milwaukee, Wisconsin, or sold by dealers whose yards are located within Milwaukee, Wisconsin.

(c) *Effective period.* This order shall become effective as of Wednesday, December 22, 1943, and shall remain in effect until specifically revoked, amended or modified, either by special order or by the issuance of uniform area price order under the provisions of § 1340.260 of Maximum Price Regulation No. 122.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 21st day of December 1943.

ALEX ELSON,
Acting Regional Administrator.

[F. R. Doc. 44-256; Filed, January 5, 1944;
12:39 p. m.]

[Region VI Order G-12 Under SR 15,
MPR 329]

FLUID MILK IN APPLETON AND GREEN BAY, WIS.

Amendment No. 1 to Order No. G-12 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and under Maximum Price Regulation No. 329. Purchases of milk from producers for resale as fluid milk. Adjustment of fluid milk prices for Appleton and Green Bay, Wisconsin.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, by § 1351.807 (a) of Maximum Price Regulation No. 280 and § 1351.408 (b) of Maximum Price Regulation No. 329, *It is ordered*, That paragraph (a) be amended to read as set forth below:

(a) The maximum price of milk sold for human consumption in fluid form which may be paid to producers by distributors selling milk in Appleton, Wisconsin and Green Bay, Wisconsin, shall be 80¢ per pound of butterfat or the highest price which such distributors may pay to producers under the provisions of Maximum Price Regulation No. 329, whichever of the above two prices is higher. The maximum price of 80¢ per pound of butterfat permitted by this order shall apply only to purchases from

producers from whom such distributors purchased milk in August or September 1943 and are not applicable to purchases from producers who did not in August or September 1943 sell to any Appleton or Green Bay distributors.

This amendment to Order No. G-12 shall become effective December 20, 1943.

(56 Stat. 23,765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.)

Issued this 17th day of December 1943.

ALEX ELSON,
Acting Regional Administrator.

[F. R. Doc. 44-237; Filed, January 5, 1944;
12:32 p. m.]

[Region VI Order G-15 Under SR 15, MPR 280]

FLUID MILK IN MARSHALL, ILL.

Order No. G-15 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and under Maximum Price Regulation No. 280. Maximum prices for specific food products. Adjustment of fluid milk prices for Marshall, Illinois.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation and by § 1351.807 (a) of Maximum Price Regulation No. 280, it is ordered:

(a) *Maximum prices for sales at wholesale in bulk.* The maximum price for the sale and delivery of fluid milk at wholesale in bulk in the Marshall, Illinois, area shall be 37¢ per gallon, or the seller's maximum price as determined under the provisions of the General Maximum Price Regulation or any regulation supplementary thereto, whichever is higher.

(b) The maximum price for the sale and delivery of fluid milk in bottles and paper containers at wholesale and retail in the Marshall, Illinois, area shall be the seller's maximum price as determined under the provisions of the General Maximum Price Regulation or any regulation supplementary thereto, or the applicable adjusted price specified in the schedule set forth below, whichever is higher:

Container size	Wholesale	Retail
	Cents	Cents
Gallon	37	45
¾ gallon	19	23
Quart	10	12
Pint	5½	6½
½ pint	3	3½

(c) *Fractional cents.* Where the maximum price set forth above is expressed in terms of a half cent, the price charged for a single unit at retail may be increased to the next even cent. An opportunity must however be given to each buyer to purchase two units. Home deliveries at retail and all sales at whole-

sale shall be considered multiple unit sales unless separate collections are made for single units delivered.

(d) *Definitions.* For the purposes of this order:

1. Sales and deliveries within the Marshall, Illinois, area shall mean:

i. All sales made within the city limits of Marshall, Illinois, and all sales at or from an establishment located in Marshall, Illinois, and

ii. All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Marshall, Illinois.

2. Milk shall mean cows' milk having a butterfat content of not less than 3.2% or the legal minimum established by statute or municipal ordinance, bottled, distributed and sold for consumption in fluid form as whole milk.

3. Sales at wholesale shall for the purpose of this order include all sales to retail stores, restaurants, army camps, prisons, schools, hospitals, and other institutions.

(e) Except as otherwise herein provided, the provisions of the General Maximum Price Regulation and Maximum Price Regulation No. 280 shall apply.

(f) This order may be revoked, amended or corrected at any time.

This order shall become effective December 15, 1943.

(56 Stat. 23, 765; Pub. Law 151; 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 14th day of December 1943.

RAYMOND S. McKEOUGH,
Regional Administrator.

[F. R. Doc. 44-236; Filed, January 5, 1944; 12:40 p. m.]

[Region VI Order G-16 Under SR 15, MPR 280]

FLUID MILK IN FOND DU LAC, WIS.

Order No. G-16 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, under Maximum Price Regulation No. 280. Maximum prices for specific food products and under Maximum Price Regulation No. 329. Purchases of milk from producers for resale as fluid milk. Adjustment of fluid milk prices for Fond Du Lac, Wisconsin.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, by § 1351.807 (a) of Maximum Price Regulation No. 280 and § 1351.408 (b) of Maximum Price Regulation No. 329, it is ordered:

(a) *Maximum producer prices.* The maximum price which distributors may pay to producers for milk sold for human consumption in fluid form shall be either,

1. \$3.00 per cwt. for 3.5% milk, plus not more than $5\frac{1}{2}\text{¢}$ for each $\frac{1}{10}$ of a pound of butterfat in excess of 3.5%, and minus not less than $5\frac{1}{2}\text{¢}$ for each $\frac{1}{10}$ of a pound of butterfat below 3.5%, or

2. The maximum price which distributors to whom this order applies are

permitted to pay to producers pursuant to the provisions of Maximum Price Regulation No. 329—Purchases of Milk From Producers for Resale as Fluid Milk,

whichever of the above two prices is higher.

(b) *Applicability of producer prices.* Paragraph (a) of this order shall apply to all purchases of milk from producers for resale for human consumption in fluid form by distributors whose bottling plants are located within Fond du Lac, Wisconsin, or who sell within Fond du Lac, Wisconsin, 30% or more of the milk sold by them, except that paragraph (a) shall apply only to purchases from producers from whom such distributors purchased milk in August or September, 1943, and is not applicable to purchases from producers who did not in August or September, 1943, sell to any Fond du Lac distributor.

(c) *Maximum distributor prices.* The maximum price for the sale and delivery of fluid milk at wholesale and retail in the Fond du Lac, Wisconsin, area shall be the maximum price determined under the General Maximum Price Regulation, or the following prices, whichever shall be the higher:

	Wholesale	Retail
	Cents	Cents
1. Standard butterfat content milk:		
Sales in bulk (per gallon).....	44	-----
Sales in bottles and paper containers:		
Gallon.....	44	48
$\frac{1}{2}$ gallon.....	23	25
Quart.....	12	13
$\frac{1}{2}$ pint.....	3 $\frac{1}{2}$	5
2. Chocolate milk:		
Sales in bulk (per gallon).....	48	-----
Sales in bottles and paper containers:		
Gallon.....	48	52
Quart.....	13	14
$\frac{1}{2}$ pint.....	4	5
3. Buttermilk:		
Sales in bulk (per gallon).....	26	-----
Sales in bottles and paper containers:		
Gallon.....	26	29
Quart.....	8	9

4. *Premium milk.* If during March 1942 a distributor handled a premium milk other than chocolate milk or buttermilk which sold at a higher price than standard butterfat content milk, the maximum price for such premium milk shall be either the price established for it under the provisions of the General Maximum Price Regulation or a price established by adding to the price above specified for the standard butterfat content milk, the exact amount by which the price of such premium milk exceeded the price of standard butterfat content milk in March 1942.

(d) *Applicability of distributor prices.* For the purpose of paragraph (c) of this order, sales and deliveries within the Fond du Lac, Wisconsin, area shall mean:

1. All sales made within the city limits of Fond du Lac, Wisconsin, and all sales at or from an establishment located in Fond du Lac, Wisconsin;

2. All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Fond du Lac, Wisconsin.

(e) *Definitions.* For the purpose of this order:

1. Milk shall mean cows' milk having a butterfat content of not less than 3.2% or the legal minimum established by statute or municipal ordinance, distributed and sold for consumption in fluid form as whole milk.

2. Sales at wholesale shall include all sales to retail stores, restaurants, army camps, prisons, schools, hospitals, and other institutions.

(f) *Relation to Office of Price Administration regulations.* Except as otherwise herein provided, the provisions of the General Maximum Price Regulation, Maximum Price Regulation No. 280 and Maximum Price Regulation No. 329 shall remain in full force and effect and shall not be evaded by any change in the customary delivery, business or trade practices in effect during the base periods established by those regulations.

(g) *Revocability.* This order may be revoked, amended or corrected at any time.

This order shall be effective December 20, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 17th day of December 1943.

ALEX ELSON,
Acting Regional Administrator.

[F. R. Doc. 44-236; Filed, January 5, 1944; 12:32 p. m.]

[Region VI Order G-17 Under SR 15, MPR 329]

FLUID MILK IN WADENA, MINN.

Order No. G-17 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation under Maximum Price Regulation No. 329. Purchases of milk from producers for resale as fluid milk. Adjustment of fluid milk prices for Wadena, Minnesota.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, by § 1351.408 (b) of Maximum Price Regulation No. 329, it is ordered:

(a) *Maximum producer prices.* The maximum price which distributors may pay to producers for milk sold for human consumption in fluid form shall be \$2.72 per cwt. for 3.5% milk, plus not more than 5¢ for each $\frac{1}{10}$ of a pound of butterfat in excess of 3.5% and minus not less than 5¢ for each $\frac{1}{10}$ of a pound of butterfat below 3.5%.

(b) *Applicability of producer prices.* Paragraph (a) of this order shall apply to all purchases of milk from producers for resale for human consumption in fluid form by distributors whose bottling plants are located within Wadena, Minnesota, or who sell within that city 50% or more of the milk sold by them. Prices provided in paragraph (a) of this order shall apply only to purchases from producers from whom distributors covered by this order purchased milk in August or September 1943 and are not applicable to purchases from producers who did not

in those months sell to any Wadena, Minnesota, distributor covered by this order.

(c) *Maximum distributor prices.* The maximum price for the sale and delivery of fluid milk at wholesale and retail in Wadena, Minnesota, shall be the maximum price determined under the General Maximum Price Regulation or the following prices, whichever shall be higher:

	Whole-sale	Retail
	Cents	Cents
Standard butterfat content.....	09½	11½
Fluid milk per quart bottle.....		

Where the maximum price set forth is expressed in terms of ½¢ the price charged for a single unit at retail may be increased to the next even cent. An opportunity must, however, be given to each buyer to purchase two units for which the maximum price will be twice the single unit price, namely 23¢ at retail. All sales at wholesale and home delivery sales at retail shall be considered multiple unit sales unless separate collections are made for single units when delivered.

(d) *Applicability of distributor prices.* For the purpose of paragraph (c) of this order, sales and deliveries within Wadena, Minnesota, shall mean:

1. All sales made within the corporate limits of Wadena, Minnesota, and all sales at or from an establishment located in that city;

2. All sales of fluid milk by any seller at retail at or from an establishment which obtains the major portion of its supply of milk from a seller at wholesale located in Wadena, Minnesota.

(e) *Definitions.*

1. Milk shall mean cows' milk having a butterfat content of not less than 3.2% or the legal minimum established by statute or municipal ordinance, distributed and sold for consumption in fluid form as whole milk.

2. Sales at wholesale shall include all sales to retail stores, restaurants, army camps, prisons, schools, hospitals, and other institutions.

(f) *Relation to Office of Price Administration regulations.* Except as otherwise herein provided, the provisions of the General Maximum Price Regulation and Maximum Price Regulation No. 329 shall remain in full force and effect and shall not be evaded by any change in the customary delivery, business or trade practices in effect during the base periods established by those regulations.

(g) This order may be revoked, amended or corrected at any time.

This order shall be effective December 28th, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of December 1943.

ALEX ELSON,
Acting Regional Administrator.

[F. R. Doc. 44-246; Filed, January 5, 1944;
12:35 p. m.]

No. 5—12

[Region VI Order G-18 Under SR 15,
MPR, 280]

FLUID MILK IN SPARTA, WIS.

Order No. G-18 under § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, under Maximum Price Regulation No. 280. Maximum prices for specific food products and under Maximum Price Regulation No. 329. Purchases of milk from producers for resale as fluid milk.

Adjustment of fluid milk prices for Sparta, Wisconsin. For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, by § 1351.807 (a) of Maximum Price Regulation No. 280 and § 1351.408 (b) of Maximum Price Regulation No. 329, it is ordered:

(a) *Maximum producer prices.* The maximum price which distributors may pay to producers for milk sold for human consumption in fluid form shall be \$3.15 per cwt. for 4% milk, plus not more than 5¢ for each 1/10 of a pound of butterfat in excess of 4% and minus not less than 5¢ for each 1/10 of a pound of butterfat below 4%.

(b) *Applicability of producer prices.* Paragraph (a) of this order shall apply to all purchases of milk from producers for resale for human consumption in fluid form by distributors whose bottling plants are located within Sparta, Wisconsin, or who sell within that city 50% or more of the milk sold by them. Prices provided in paragraph (c) of this order shall apply only to purchases from producers from whom distributors covered by this order purchased milk in August or September 1943 and are not applicable to purchases from producers who did not in those months sell to any Sparta, Wisconsin, distributor covered by this order.

(c) *Maximum distributor prices.* The maximum price for the sale and delivery of fluid milk at wholesale and retail in Sparta, Wisconsin, shall be the maximum price determined under the General Maximum Price Regulation or the following prices, whichever shall be higher:

Standard butterfat content fluid milk	Whole-sale	Retail
	Cents	Cents
Gallons in bulk.....	37	45
Gallons.....	37	45
Quarts.....	10	12
Pints.....	5½	6½
½ pints.....	3	6

Where the maximum price set forth is expressed in terms of ½¢ the price charged for a single unit at retail may be increased to the next even cent. An opportunity must, however, be given to each buyer to purchase two units for which the maximum price will be twice the single unit price. All sales at wholesale and home delivery sales at retail shall be considered multiple unit sales unless separate collections are made for single units when delivered.

(d) *Applicability of distributor prices.* For the purpose of paragraph (c) of this order, sales and deliveries within the Sparta, Wisconsin, area shall mean:

1. All sales made within the city limits of Sparta, Wisconsin, and all sales at or from an establishment located in Sparta, Wisconsin;

2. All sales of fluid milk by any seller at retail at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Sparta, Wisconsin.

(e) *Definitions.* 1. Milk shall mean cows' milk having a butterfat content of not less than 3.2% or the legal minimum established by statute or municipal ordinance, distributed and sold for consumption in fluid form as whole milk.

2. Sales at wholesale shall include all sales to retail stores, restaurants, army camps, prisons, schools, hospitals, and other institutions.

(f) *Relation to Office of Price Administration regulations.* Except as otherwise herein provided, the provisions of the General Maximum Price Regulation, Maximum Price Regulation No. 280 and Maximum Price Regulation No. 329 shall remain in full force and effect and shall not be evaded by any change in the customary delivery, business or trade practices in effect during the base periods established by those regulations.

(g) *Revocability.* This order may be revoked, amended or corrected at any time.

This order shall be effective December 28, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 24th day of December 1943.

ALEX ELSON,
Acting Regional Administrator.

[F. R. Doc. 44-247; Filed, January 5, 1944;
12:37 p. m.]

[Region VI Order G-21 Under MPR 329]

FLUID MILK IN GREENDALE, WIS.

Order No. G-21 under Maximum Price Regulation No. 329. Purchases of milk by the Van Alstine Farm Dairy for distribution in Greendale, Wisconsin.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1351.408 (b) of Maximum Price Regulation No. 329, it is hereby ordered:

(a) The maximum price which Thomas Van Alstine doing business as the Van Alstine Farm Dairy may pay to producers for milk sold for human consumption in fluid form shall be \$3.00 per cwt. for 3.5% milk plus not more than 4¢ for each 1/10 of a pound of butterfat in excess of 3.5% and minus not less than 4¢ for each 1/10 of a pound of butterfat below 3.5%.

(b) This order shall apply to all purchases of milk from producers for resale by the applicant for human consumption in fluid form in Greendale, Wisconsin.

(c) Unless the context otherwise requires, the definitions set forth in § 1351.404 of Maximum Price Regulation No. 329 and § 304 of the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(d) Except as modified by this order, the provisions of Maximum Price Regulation No. 329 shall remain in full force and effect and shall not be evaded by any change in the customary delivery practices or other business or trade practices in effect in January of 1943.

(e) This order may be revoked, amended or corrected at any time. This order shall be effective December 27, 1943.

(56 Stat. 23,765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 22d day of December 1943.

ALEX EDBSON,

Acting Regional Administrator.

[F. R. Doc. 44-248; Filed, January 5, 1944; 12:37 p. m.]

[Region VII Order G-4 Under MPR 329, Amdt. 1]

FLUID MILK IN MONTANA

Order No. G-4 under Maximum Price Regulation No. 329, Amendment No. 1. Purchases of fluid milk from producers in the State of Montana.

Pursuant to the Emergency Price Control Act of 1942, as amended, § 1351.408 (b) of Maximum Price Regulation No. 329, and for the reasons set forth in the accompanying opinion, this Amendment No. 1 is issued.

1. Paragraph (d), *Maximum price for milk purchased from producers in District No. 3 of the State of Montana*, is amended by adding thereto the following:

Provided, however, That in those areas in Richland County which lie within a radius of ten miles from the center of the municipality of Sidney and within a radius of ten miles from the center of the hamlet of Fairview the price for milk purchased from producers in said District No. 3 of the State of Montana shall be 84¢ per pound of butterfat content f. o. b. the producer's place of production, or the maximum producer's price established under the provisions of the Agricultural Marketing Agreement Act of 1937 as amended, whichever is the higher.

2. *Effective date*. This Amendment No. 1 shall become effective on the 1st day of October 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 22d day of December 1943.

CLEM W. COLLINS,
Regional Administrator.

[F. R. Doc. 44-233; Filed, January 5, 1944; 12:31 p. m.]

[Region VII Order G-9 Under MPR 329, Amdt. 2]

FLUID MILK IN UTAH

Order No. G-9 under Maximum Price Regulation No. 329, Amendment No. 2. Purchases of milk from producers in the State of Utah.

Pursuant to the Emergency Price Control Act of 1942, as amended, and § 1351.408 (b) of Maximum Price Regulation No. 329, and for the reasons set forth in the accompanying opinion, this Amendment No. 2 is issued.

1. Amendment No. 1 to Order No. G-9 under Maximum Price Regulation No. 329, issued October 2, 1943, is hereby amended by deleting from the fourth line of paragraph 1 thereof the words "and Cache".

2. Paragraph (f) (3) of said Order No. G-9 is hereby amended to read as follows:

(f) * * *

(3) "District No. 1 of the State of Utah" means all that area of the State of Utah contained within the boundaries of the counties of Salt Lake, Utah, Summit, Morgan, Weber, Boxelder, Tooele, Carbon, Emery, Cache, and Juab.

3. A new paragraph designated (f-1) *Premium milk*, is hereby added to said Order No. G-9 under Maximum Price Regulation No. 329, to be inserted therein immediately preceding paragraph (g) and reading as follows:

(f-1) *Premium milk*. If at the time this order becomes effective it was customary for any purchaser of milk in either or both of the districts as hereinabove defined in paragraph (f) to pay a premium for milk produced under the supervision of and in accordance with the rules and regulations promulgated by any established and generally recognized national association of dairy cattle breeders, such as but not limited to "Golden Guernsey" milk or "Jersey Creamline" milk, all purchasers of such premium milk may pay the producer thereof such customary premium, in addition to the specific prices set forth in paragraphs (b) and (c) hereof.

4. *Effective dates*. Paragraph 3 of this amendment is hereby made effective retroactively as of August 1, 1943, the effective date of said Order No. G-9, and all other provisions of this Amendment No. 2 shall be effective on the 10th day of December 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 10th day of December 1943.

CLEM W. COLLINS,
Regional Administrator.

[F. R. Doc. 44-232; Filed, January 5, 1944; 12:30 p. m.]

[Region VII Order G-10 Under 18 (c), Amdt. 4]

FLUID MILK IN UTAH

Order No. G-10 under § 1499.18 (c) of the General Maximum Price Regula-

tion, Amendment No. 4. Order modifying wholesale and retail prices for fluid milk in the State of Utah.

Pursuant to the Emergency Price Control Act of 1942, as Amended, and § 1499.75 (a) (9) of Supplementary Regulation No. 15 to the General Maximum Price Regulation, and for the reasons set forth in the accompanying opinion, this Amendment No. 4 is issued.

1. Order No. G-10, modifying wholesale and retail prices for fluid milk in the State of Utah, and issued on January 16, 1943, is hereby amended by inserting therein a new paragraph designated (b) (1), immediately following paragraph (b) of said Order No. G-10, and reading as follows:

(1) On and after December 15, 1943, the wholesale and retail prices for Grade A fluid milk sold in glass or paper containers anywhere in the County of Cache in the State of Utah, shall be as follows:

Container size	Whole-	Retail
	sale	
	<i>Cents</i>	<i>Cents</i>
½ pints.....	4	5
Pints.....	7	8
Quarts.....	10½	12½
½ gallons.....	20	25

2. *Effective date*. This Amendment No. 4 shall become effective on the 10th day of December 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 10th day of December 1943.

CLEM W. COLLINS,
Regional Administrator.

[F. R. Doc. 44-231; Filed, January 5, 1944; 12:30 p. m.]

[Region VII Order G-22 Under RMPR 122]

SOLID FUELS IN DESIGNATED UTAH TRADE AREAS

Order No. G-22 Under Revised Maximum Price Regulation No. 122. Solid Fuels sold and delivered by dealers. Maximum prices for certain solid fuels sold and delivered by dealers in certain trade areas in the State of Utah.

Pursuant to the Emergency Price Control Act of 1942, as Amended, and § 1340.259 of Revised Maximum Price Regulation No. 122, and for the reasons set forth in the accompanying opinion, this Order No. G-22 is issued.

(a) *Geographical applicability*. This order shall apply to all of the trade areas known as the "Magna-Garfield Trade Area" and the "Tooele-Tod Town Trade Area" in the State of Utah, and which said trade areas are defined with particularity in paragraph (n) hereof.

(b) *What this order does*. If you are a dealer in bituminous coal, you will find set forth in this order under Tables I and II the maximum prices which you may charge for sales and deliveries made by you from your place of business in the specific area served; and if you are

a purchaser in the course of trade or business the prices set forth herein in Tables I and II are the maximum prices which you may pay any coal dealer in the specific trade area covered for the kinds, sizes and quantities of coals specified in said tables when purchased in his place of business in the particular area covered.

(c) *To what sales this order applies.* If you sell coal of the kind specified herein and make delivery thereof to any person within the areas covered, the maximum price which you may charge therefor and the customary discounts and allowances which you must give are those set forth in Tables I and II of this order.

(d) *Specific maximum prices.* (1) If you sell and deliver in the Magna-Garfield Trade Area any one or more of the kinds and sizes of coal named in Table I below, your maximum prices therefor are the prices specified in said Table I.

TABLE I.—MAXIMUM DELIVERED PRICES MAGNA-GARFIELD TRADE AREA

Kind and size	Per ton	Per ½ ton	Per ¼ ton	100 lb.
Bituminous coal produced in District 20:				
Subdistrict 1, Castlegate:				
#2—10" lump.....	\$8.35	\$4.60	\$2.30	\$0.50
#3—10 x 3 stove.....	8.20	4.50	2.25	.45
#5—8 x 3 stove.....	7.95	4.35	2.20	.45
#7—3 x 1½ nut.....				
#8—1½ x 1 pea:				
Treated.....	7.15	3.95	1.95	.40
Untreated.....	7.00	3.85	1.90	.40
#11—1 x 0 slack:				
Treated.....	6.40	3.50	1.75	.35
Untreated.....	6.15	3.40	1.70	.35

¹ Slack prices are based on domestic sales. On sales for commercial use the maximum prices of slack shall be the listed price less 25¢.

(2) If you sell and deliver in the Tooele portion of the Tooele-Tod Town Trade Area any one or more of the kinds and sizes of coal named in Part 1 of Table II below, your maximum prices therefor are the prices specified in Part 1 of Table II; if you sell and deliver coal to the Tooele Ordnance Depot housing project known as Tod Town, or to any other place in said Tooele-Tod Town Trade Area other than the Tooele portion thereof, your maximum prices for the kinds and sizes of bituminous coal are the prices set forth below in Part 2 of said Table II.

TABLE II.—MAXIMUM DELIVERED PRICES TOOELE-TOD TOWN TRADE AREA

PART 1.—TOOELE DELIVERED PRICES				
Kind and size	Per ton	Per ½ ton	Per ¼ ton	100 lbs.
Bituminous coal produced in District 20:				
Subdistrict 1, Castlegate:				
#2—10" lump.....	\$8.40	\$4.60	\$2.30	\$0.50
#3—10 x 3 stove.....	8.30	4.55	2.30	.50
#5—8 x 3 stove.....	7.90	4.35	2.20	.45
#7—3 x 1½ nut.....				
#8—1½ x 1 pea:				
Treated.....	7.20	3.95	2.00	.40
Untreated.....	7.05	3.90	1.95	.40
#11—1 x 0 slack:				
Treated.....	6.50	3.60	1.80	.35
Untreated.....	6.25	3.45	1.70	.35

¹ Slack prices are based on domestic sales. On sales for commercial use the maximum prices of slack shall be the listed price less 25 cents.

PART 2.—TOD TOWN DELIVERED PRICES

Bituminous coal produced in District 20:			
Subdistrict 1, Castlegate:			
#2—10" lump.....	\$8.70	\$4.75	
#3—10 x 3 stove.....	8.60	4.70	
#5—8 x 3 stove.....	8.20	4.50	
#7—3 x 1½ nut.....			
#8—1½ x 1 pea:			
Treated.....	7.50	4.10	
Untreated.....	7.35	4.05	
#11—1 x 0 slack:			
Treated.....	6.80	3.75	
Untreated.....	6.55	3.60	

¹ Slack prices are based on domestic sales. On sales for commercial use the maximum prices of slack shall be the listed price less 25 cents.

(3) If in connection with a sale and delivery of coal made by you in the areas covered herein, you, at the request of the purchaser, perform any one or more of the special services set forth below, the maximum prices which you may charge for such special services follow:

Special service charges	Per ton	Per half ton
"Wheel-in".....	\$1.00	\$0.50
"Pull-back" or "trimming".....	.25	.15
"Carrying up or down stairs".....	1.00	.50

(e) *Determination of mixed coals prices.* If you mix sizes or kinds of coal, your maximum price shall be the proportionate sum of the applicable maximum prices per net ton established in this order for each of the coals so mixed adjusted to the nearest five cents.

(f) *When transportation tax may be collected.* If on any purchase of coal made by you you are required to pay the amount of the transportation tax imposed by section 620 of the Revenue Act of 1942, you may, in addition to the specific maximum prices established in subparagraphs (1) and (2) of paragraph (d) hereof, collect from the buyer the amount of such tax actually incurred or paid by you, or an amount equal to the amount of such tax paid by any of your prior suppliers and separately stated and collected from you by the supplier from whom you purchased, provided you state separately on your sales invoice, slip, ticket or other memorandum, the amount of such tax so collected by you. But on sales to the United States or any agency thereof, such tax need not be separately stated.

(g) *Applicability of other regulations.* Except as inconsistent with or contradictory of the terms and provisions of this order, all of the terms and provisions of Revised Maximum Price Regulation No. 122, except paragraph (c) of §1340.262 thereof, as stated in paragraph (h) of this order, shall apply to all dealers selling and delivering coal in the areas covered herein with like force and effect as though the same were re-written herein. If you sell solid fuel of a kind or size not specifically priced by this order, all such sales and deliveries remain subject to the provisions of Revised Maximum Price Regulation No. 122 and orders issued thereunder.

(h) *Filing requirements.* Dealers whose prices are established by this order shall not be required to file prices with their local war price and rationing board as previously required in § 1340.262 (c).

However, prices for coals not specifically covered by this order shall be filed as required by that section.

(i) *What you must not do.* Regardless of any contract or other obligation which you may have heretofore entered into, you shall not:

(1) Sell, or in the course of trade or business buy solid fuels of the kinds and sizes covered by this order at prices higher than the maximum prices set forth herein; but you may sell or buy such coal at lower prices than such maximum prices.

(2) Obtain any prices higher than the applicable maximum prices by:

(i) Changing or withdrawing your customary cash discounts and allowances;

(ii) Charging for any service which is not expressly requested by the buyer; or

(iii) Charging for any service for which a charge is not specifically authorized by this order; or

(iv) Charging a price for any service higher than the price authorized by this order for such service; or

(v) Increasing your delivery charges, if any, for delivery outside the areas for which the maximum prices are herein set forth or increasing any interest rate on delinquent and past-due accounts over the rate or charge made by you in December, 1941; or

(vi) Using any tying agreement whereby the buyer is required or persuaded to purchase anything other than the fuel requested by him; or

(vii) Using any other device by which a price higher than your maximum price is obtained either directly or indirectly.

(j) *An increase in your supplier's prices does not authorize you to increase your prices.* You must not increase the specific maximum prices established for you by this order to reflect in whole or in part any subsequent increase to you in your supplier's maximum prices for the fuel covered by this order. These specific maximum prices established for you by this order reflect all of the increases in the maximum prices of your supplier to the date hereof. If increase in your supplier's maximum prices shall occur after the effective date of this order, you may bring that fact to the attention of the Regional Administrator whereupon he will take such appropriate action in the premises as the then existing facts and circumstances justify.

(k) *Adjustable pricing.* You may not make a price adjustable to a maximum price which becomes effective at some time after you have made delivery of the coal; but you may agree to sell at whatever maximum price is in effect at the time of delivery.

(l) *Petition for amendment.* If you desire an amendment of any provisions of this order, you may file a petition therefor in accordance with the provisions of Revised Procedural Regulation No. 1, except that it shall be filed with the Regional Administrator and acted upon by him.

(m) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

(n) *Definitions.* (1) "Carry" or "wheel-in" means to transport coal from the vehicle in which delivery is made or from the nearest accessible point of dumping or unloading and place the same in the buyer's bin or storage space when the physical condition of the premises is such as to prevent dumping or unloading directly into such bin or storage space.

(2) "Pull-back" or "trimming" means to arrange and place coal in the buyer's bin by rehandling the same for the purpose of filling the bin.

(3) "Carrying up or down stairs" means generally the labor involved in carrying coal up or down stairs for depositing in customer's bin or storage space.

(4) "Delivery" means delivery to the buyer's bin or storage space by dumping, chuting, or shovelling directly from the seller's truck or vehicle, or where such delivery to the buyer's bin or storage space is physically impossible, by discharging at the point nearest and most accessible to the buyer's bin or storage space and at which the coal can be discharged directly from the seller's truck.

(5) "Yard sales" means sales accompanied by physical transfer to the buyer's truck or vehicle at the seller's coal yard or stock pile.

(6) "Dealer" means any person selling solid fuels of any kind or size for which a maximum price is established by this order for sales and deliveries made in the areas covered herein and does not include transactions whereby a producer or distributor makes a sale at or from a mine or preparation plant operated as an adjunct of a mine.

(7) "Bituminous coal" means coal produced in District 20 and any sub-districts thereof as set forth in the Minimum Price Schedules of the Bituminous Coal Division of the Department of the Interior and in effect as of midnight, August 23, 1943.

(8) "Area descriptions":

(i) The "Magna-Garfield Trade Area" means all of the areas contained within the municipal boundaries of the municipalities of Magna and Garfield, Utah, and all of the area lying between those municipalities and within a distance of two miles on either side of United States Highway No. 50.

(ii) The "Tooele-Tod Town Area" means all of the area lying within the municipality of Tooele, Utah, and all of the area covered by or included in the Tooele Ordnance Depot housing project known as Tod Town.

(c) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violation of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

Effective date. This Order No. G-22 shall become effective on December 22, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 22d day of December 1943.

CLEM W. COLLINS,
Regional Administrator.

[F. R. Doc. 44-234; Filed, January 3, 1944,
12:31 p. m.]

[Region VII Order G-23 Under RMPR 122]

SOLID FUELS IN NEPHI TRADE AREA, UTAH

Order No. G-23 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels sold and delivered by dealers in the Nephi trade area of the State of Utah.

Pursuant to the Emergency Price Control Act of 1942, as amended, and § 1340.259 of Revised Maximum Price Regulation No. 122, and for the reasons set forth in the accompanying opinion, this Order No. G-23 is issued.

(a) *Geographical applicability.* This order shall apply to all of the trade area contained within the corporate boundaries of the municipality of Nephi, in the State of Utah, and the same is hereby designated the "Nephi Trade Area".

(b) *What this order does.* If you are a dealer in bituminous coal, you will find set forth in this order under Table I the maximum prices which you may charge for sales and deliveries made by you from your place of business in the specific area served; and if you are a purchaser in the course of trade or business the prices set forth herein in Table I are the maximum prices which you may pay any coal dealer in the specific trade area covered for the kinds, sizes and quantities of coals specified in said tables when purchased in his place of business in the particular area covered.

(c) *To what sales this order applies.* If you sell coal of the kind specified herein and make delivery thereof to any person within the area covered, the maximum price which you may charge therefor and the customary discounts and allowances which you must give are those set forth in Table I of this order.

(d) *Specific maximum prices.* If you sell and deliver in the Nephi Trade Area any one or more of the kinds and sizes of coal named in Table I set forth below, your maximum prices therefor are those specified in said Table I.

TABLE I—MAXIMUM DELIVERED PRICES NEPHI TRADE AREA

Kind and size	Per ton
Bituminous Coal produced in District 20:	
Subdistrict 1, Castlegate:	
#3 and #5—3' lump, 10 x 3 and 8 x 3 stove	\$8.50
#7—3 x 1 1/2 nut	7.50
#10 and #11—1 1/2 x 0 and 1 x 0 slack	
Treated	6.40
Untreated	6.15

If in connection with a sale and delivery of coal made by you in the area covered herein, you, at the request of the purchaser, perform any one or more of the special services set forth below,

the maximum prices which you may charge for such special services follow:

Special service charges	Per ton	Per half ton
"Wheel-in".....	\$1.00	\$0.50
"Pull-back" or "trimming".....	.25	.15
"Carrying up or down stairs".....	1.00	.50

(e) *Determination of mixed coals prices.* If you mix sizes or kinds of coal, your maximum price shall be the proportionate sum of the applicable maximum prices per net ton established in this order for each of the coals so mixed adjusted to the nearest five cents.

(f) *When transportation tax may be collected.* If on any purchase of coal made by you you are required to pay the amount of the transportation tax imposed by section 620 of the Revenue Act of 1942, you may, in addition to the specific maximum prices established in paragraph (d) hereof, collect from the buyer the amount of such tax actually incurred or paid by you, or an amount equal to the amount of such tax paid by any of your prior suppliers and separately stated and collected from you by the supplier from whom you purchased, provided you state separately on your sales invoice, slip, ticket or other memorandum, the amount of such tax so collected by you. But on sales to the United States or any agency thereof, such tax need not be separately stated.

(g) *Applicability of other regulations.* Except as inconsistent with or contradictory of the terms and provisions of this order, all of the terms and provisions of Revised Maximum Price Regulation No. 122, except paragraph (c) of § 1340.262 thereof, as stated in paragraph (h) of this order, shall apply to all dealers selling and delivering coal in the area covered herein with like force and effect as though the same were re-written herein. If you sell solid fuel of a kind or size not specifically priced by this order, all such sales and deliveries remain subject to the provisions of Revised Maximum Price Regulation No. 122 and orders issued thereunder.

(h) *Filing requirements.* Dealers whose prices are established by this order shall not be required to file prices with their local war price and rationing board as previously required in § 1340.262 (c). However, prices for coals not specifically covered by this order shall be filed as required by that section.

(i) *What you must not do.* Regardless of any contract or other obligation which you may have heretofore entered into, you shall not:

(1) Sell, or in the course of trade or business buy solid fuels of the kinds and sizes covered by this order at prices higher than the maximum prices set forth herein; but you may sell or buy such coal at lower prices than such maximum prices.

(2) Obtain any prices higher than the applicable maximum prices by:

(i) Changing or withdrawing your customary cash discounts and allowances;

(ii) Charging for any service which is not expressly requested by the buyer; or

(iii) Charging for any service for which a charge is not specifically authorized by this order; or

(iv) Charging a price for any service higher than the price authorized by this order for such service; or

(v) Increasing your delivery charges, if any, for delivery outside the area for which the maximum prices are herein set forth or increasing any interest rate on delinquent and past-due accounts over the rate or charge made by you in December, 1941; or

(vi) Using any tying agreement whereby the buyer is required or persuaded to purchase anything other than the fuel requested by him; or

(vii) Using any other device by which a price higher than your maximum price is obtained either directly or indirectly.

(j) *An increase in your supplier's prices does not authorize you to increase your prices.* You must not increase the specific maximum prices established for you by this order to reflect in whole or in part any subsequent increase to you in your supplier's maximum prices for the fuel covered by this order. Those specific maximum prices established for you by this order reflect all of the increases in the maximum prices of your supplier to the date hereof. If increase in your supplier's maximum prices shall occur after the effective date of this order, you may bring that fact to the attention of the Regional Administrator whereupon he will take such appropriate action in the premises as the then existing facts and circumstances justify.

(k) *Adjustable pricing.* You may not make a price adjustable to a maximum price which becomes effective at some time after you have made delivery of the coal; but you may agree to sell at whatever maximum price is in effect at the time of delivery.

(l) *Petition for amendment.* If you desire an amendment of any provisions of this order, you may file a petition therefor in accordance with the provisions of Revised Procedural Regulation No. 1, except that it shall be filed with the Regional Administrator and acted upon by him.

(m) *Right to revoke or amend.* This order may be revoked, modified, or amended at any time by the Price Administrator or the Regional Administrator.

(n) *Definitions.* (1) "Carry" or "wheel-in" means to transport coal from the vehicle in which delivery is made or from the nearest accessible point of dumping or unloading and place the same in the buyer's bin or storage space when the physical condition of the premises is such as to prevent dumping or unloading directly into such bin or storage space.

(2) "Pull-back" or "trimming" means to arrange and place coal in the buyer's bin by rehandling the same for the purpose of filling the bin.

(3) "Carrying up or down stairs" means generally the labor involved in carrying coal up or down stairs for depositing in customer's bin or storage space.

(4) "Delivery" means delivery to the buyer's bin or storage space by dumping, chuting or shovelling directly from the seller's truck or vehicle, or where such delivery to the buyer's bin or storage space is physically impossible, by discharging at the point nearest and most accessible to the buyer's bin or storage space and at which the coal can be discharged directly from the seller's truck.

(5) "Yard sales" means sales accompanied by physical transfer to the buyer's truck or vehicle at the seller's coal yard or stock pile.

(6) "Dealer" means any person selling solid fuels of any kind or size for which a maximum price is established by this order for sales and deliveries made in the area covered herein and does not include transactions whereby a producer or distributor makes a sale at or from a mine or preparation plant operated as an adjunct of a mine.

(7) "Bituminous coal" means coal produced in District 20 and any sub-districts thereof as set forth in the Minimum Price Schedules of the Bituminous Coal Division of the Department of the Interior and in effect as of midnight, August 23, 1943.

(c) *Licensing.* The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation or schedule. A seller's license may be suspended for violations of the license or of one or more applicable price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

Effective date. This Order No. G-23 shall become effective on December 22, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, and E.O. 9328, 8 F.R. 4681)

Issued this 22d day of December 1943.

CLEM W. COLLINS,
Regional Administrator.

[F. R. Doc. 44-235; Filed, January 5, 1944;
12:31 p. m.]

[Region VIII Order G-2 Under 18 (c),
Amdt. 20]

FLUID MILK IN DESIGNATED AREAS OF
CALIFORNIA

Amendment No. 20 to Order No. G-2 under § 1499.18 (c) of the General Maximum Price Regulation, as amended. Fluid milk prices at wholesale and retail in certain localities in the State of California.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.75 (a) (9) of Supplementary Regulation No. 15, and under the authority reserved in Order No. G-2 under § 1499.18 (c) of the General Maximum Price Regulation to amend the said order at any time, the said Order No. G-2 is hereby amended as set forth below:

(a) Schedule A as amended is hereby further amended by striking out the heading "Santa Barbara Marketing Area and Ventura County" and substituting therefor the heading "Ventura County and that portion of Santa Barbara County lying east of the line beginning at the Pacific Ocean thence north along the range line between ranges 33 and 34 west to the line between townships 5 and 6 north, thence east along that line to the range line between ranges 32 and 33 west, thence north along that line to the line between townships 7 and 8 north, thence east along that line to the range line between ranges 31 and 32 west and thence north along that line to the San Luis Obispo County Line".

(b) Schedule A as amended is hereby further amended by striking out the heading "San Luis Obispo Marketing Area" and substituting therefor the heading "San Luis Obispo Marketing Area and that portion of Santa Barbara County lying west of the line beginning at the Pacific Ocean thence north along the range line between ranges 33 and 34 west to the line between townships 5 and 6 north, thence east along that line to the range line between ranges 32 and 33 west, thence north along that line to the line between townships 7 and 8 north, thence east along that line to the range line between ranges 31 and 32 west and thence north along that line to the San Luis Obispo County Line."

This amendment shall become effective December 31, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 21st day of December 1943.

L. F. GENTNER,
Regional Administrator.

[F. R. Doc. 44-253; Filed, January 5, 1944;
12:38 p. m.]

[Region VIII Order G-2 Under MPR 136,
Amdt. 1]

WOODWORKING MACHINERY MANUFACTURED
BY DAVIS AND WELLS

Amendment No. 1 to Order No. G-2 under Maximum Price Regulation No. 136 as amended. Adjusted maximum prices for woodworking machinery manufactured by Davis & Wells.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1390.25a of Maximum Price Regulation No. 136 as amended, *It is hereby ordered*, That paragraph (a) of Order No. G-2 under Maximum Price Regulation No. 136 as amended be amended to read as follows:

(a) The adjusted maximum price at which any person whose place of business is located within the Eighth Region of the Office of Price Administration may sell any of the machines hereinafter listed, manufactured by Davis and Wells, Los Angeles, California, shall be the particular seller's existing net maximum price after all appropriate discounts and

allowances, as established under Maximum Price Regulation No. 136 as amended, plus the following addition for each such machine:

Machine:	Addition
Saw table.....	\$28.47
6" jointer.....	7.87
Boring machine.....	22.63
20" standard band saw.....	5.35
20" metal cutting band saw.....	26.57
Jointer stand.....	2.72

This amendment shall become effective December 31, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 27th day of December 1943.

L. F. GENTNER,
Regional Administrator.

[F. R. Doc. 44-249; Filed, January 5, 1944;
12:37 p. m.]

[Region VIII Order G-2 Under RMPR 269]

POULTRY IN RENO AND LAS VEGAS, NEV.

Order No. G-2 under Revised Maximum Price Regulation No. 269, as amended. Poultry.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1429.14 (a) of Revised Maximum Price Regulation No. 269, as amended, *It is hereby ordered:*

(a) The adjusted maximum price for sales of less than 10,000 pounds of any poultry item, except turkey items, by wholesalers located in the cities of Reno and Las Vegas, Nevada, to any type of buyer, shall be the applicable base price determined pursuant to § 1429.19 of Revised Maximum Price 269, as amended, plus the following permitted increases:

- (i) 3¢ per pound on non-delivered sales;
- (ii) 3½¢ per pound on delivered sales within 25 miles;
- (iii) 4¢ per pound on delivered sales over 25 miles.

(b) All the terms used in this order shall have the same meaning as Revised Maximum Price Regulation 269, as amended, unless the context clearly requires otherwise.

This order may be revoked, corrected or amended at any time.

This order shall become effective December 29, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 24th day of December 1943.

L. F. GENTNER,
Regional Administrator.

[F. R. Doc. 44-250; Filed, January 5, 1944;
12:37 p. m.]

[Region VIII Order G-3 Under MPR 376]

TOMATOES IN SAN FRANCISCO REGION,
CALIF.

Order No. G-3 under Maximum Price Regulation No. 376, as amended. Cer-

tain fresh fruits and vegetables (fresh tomatoes).

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by section 4 (c) of Maximum Price Regulation No. 376, as amended, *It is hereby ordered:*

(a) The maximum delivered price of sales of fresh tomatoes in Region VIII shall be as follows:

(1) *Carlot or trucklot sales.* (i) \$3.50 per crate of not less than 30 pounds net weight f. o. b. Nogales, Arizona, plus "freight" to the wholesale receiving point.

(ii) \$2.57 per four basket crate of not less than 21 pounds net weight f. o. b. Nogales, Arizona, plus "freight" to the wholesale receiving point.

(2) *Less than carlot or less than trucklot sales (to persons other than ultimate consumers).* The maximum price determined above under (a) (1) plus:

(i) \$.04 per pound when "repacked" or when sold in four basket crates.

(ii) \$.02 per pound when sold in any other manner.

(b) *Definitions.* (1) "Repacked" means removed from Los Angeles lugs and graded as to color, size and uniform degree of maturity and repacked in containers not exceeding 25 pounds net weight.

(2) "Region VIII" means the states of California, Washington, Nevada, Oregon, except Malheur and Harney Counties, and Arizona, except those portions of Coconino County and Mohave County lying north of the Colorado River; and the following counties in the state of Idaho: Benewah, Bonner, Boundary, Clearwater, Kootenai, Latah, Lewis, Nez Perce, Shoshone, and Idaho.

(3) "Freight" shall include cost of refrigeration and shall mean lowest available freight by common or contract carrier.

(4) All the terms used in this order shall have the same meaning as in Maximum Price Regulation No. 376, as amended, unless the context clearly requires otherwise.

(c) This amendment may be amended, revoked or corrected at any time.

(d) This amendment shall become effective December 31, 1943: *Provided, however,* That the District Director of any District Office of the Office of Price Administration in Region VIII may by order extend the effective date for any individual receiving a carlot of merchandise at a wholesale receiving point who (a) exhibits a bill of lading showing the carlot was actually shipped from Nogales, Arizona, prior to December 25, 1943, and (b) shows that he cannot dispose of the merchandise prior to December 31, 1943. The effective date may be extended only to such date that will permit the individual sufficient time in which to dispose of the merchandise, but in no event shall the effective date be extended beyond January 8, 1944.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 24th day of December 1943.

L. F. GENTNER,
Regional Administrator.

[F. R. Doc. 44-251; Filed, January 5, 1944;
12:38 p. m.]

[Region VIII Order G-15 Under MPR 329,
Amdt. 1]

FLUID MILK IN DESIGNATED AREAS OF
WASHINGTON

Amendment No. 1 to Order No. G-15 under Maximum Price Regulation No. 329, as amended. Purchases of milk from producers for resale as fluid milk in certain localities in the State of Washington.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1351.408 of Maximum Price Regulation No. 329, as amended, *It is hereby ordered,* That paragraph (a) be amended to read as set forth below:

(a) The adjusted maximum price at which any person may purchase milk from producers located in Benton or Franklin County in the state of Washington shall be as follows:

(1) For purchases of milk from producers other than "new producers" either f.o.b. producer's dairy or delivered to the purchaser's plant, the adjusted maximum price shall be as follows:

Milk fat content:	Price per gallon
3.2% but less than 3.5%.....	\$0.27
3.5% but less than 3.8%.....	.28
3.8% but less than 4.1%.....	.29
4.1% but less than 4.4%.....	.30
4.4% or more.....	.31

(2) For purchases of milk from "new producers" delivered to the purchaser's plant, the adjusted maximum price shall be the price as provided in paragraph (a) (1) above.

(3) For purchases of milk from "new producers" f. o. b. producer's dairy, the adjusted maximum price shall be the prices specified in paragraph (a) (1) above minus an allowance for transporting milk purchased from the producer's dairy to the purchaser's business location computed as follows:

(i) Where the milk is transported by means of a carrier not operated or controlled by either the producer or the purchaser, the transportation allowance shall be equal to the amount actually paid to the carrier for the transportation service.

(ii) If the minimum transportation allowance cannot be computed under the foregoing sub-divisions, the transportation allowance shall not be less than \$0.16 per hundred pounds of milk.

This amendment to Order No. G-15 shall become effective December 27, 1943.

(56 Stat. 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 20th day of December 1943.

L. F. GENTNER,
Regional Administrator.

Approved:

BUELL F. MABEN,
Regional Director, Food Distribu-
tion Administration, War Food
Administration.

[F. R. Doc. 44-230; Filed, January 5, 1944;
12:30 p. m.]

[Region VIII Order G-19 Under MPR 329,
Amdt. 3]

FLUID MILK IN CERTAIN COUNTIES OF IDAHO AND WASHINGTON

Amendment No. 3 to Order No. G-19
under Maximum Price Regulation No.
329. Purchases of milk from producers
for resale as fluid milk.

For the reasons set forth in an opinion
issued simultaneously herewith and un-
der the authority vested in the Regional
Administrator of the Office of Price Ad-
ministration by § 1351.408 of Maximum
Price Regulation No. 329, Order No. G-19
under Maximum Price Regulation No.
329 is hereby amended as follows:

(a) Paragraph (a) (1) is hereby
amended by striking therefrom the fig-
ure "\$0.70" appearing opposite the name
"Bonner County, Idaho" and substitut-
ing therefor the figure "\$0.795".

This amendment to Order No. G-19
shall become effective December 31, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th
Cong.; E.O. 9250, 7 F.R. 7871 and E.O.
9328, 8 F.R. 4681)

Issued this 29th day of December 1943.

L. F. GENTNER,
Regional Administrator.

Approved:

BUELL F. MABEN,
Regional Director, Food Distribu-
tion Administration, War Food
Administration.

[F. R. Doc. 44-242; Filed, January 5, 1944;
12:33 p. m.]

[Region VIII Order G-26 Under MPR 329,
Amdt. 1]

FLUID MILK IN PEND OREILLE COUNTY, WASH.

Amendment No. 1 to Order No. G-26
under Maximum Price Regulation No.
329, as amended. Purchases of milk
from producers for resale as fluid milk.

For the reasons set forth in an opinion
issued simultaneously herewith and
under the authority vested in the Re-
gional Administrator of the Office of
Price Administration by § 1351.402 (c)
of Maximum Price Regulation No. 329,
as amended, *It is hereby ordered*, That
paragraph (a) be amended to read as set
forth below:

(a) The maximum price at which any
purchaser whose place of business is lo-
cated in Pend Oreille County in the State
of Washington may purchase milk for
resale for human consumption as fluid

milk from a producer who did not sell
milk to any purchaser for resale as fluid
milk during January, 1943, shall be as
set forth below:

(1) For purchases of milk f. o. b. the
producer's dairy, the maximum price
shall be \$0.775 per pound milk fat.

(2) For purchases of milk delivered to
the purchaser's place of business, the
maximum price shall be the price speci-
fied in paragraph (a) (1) above, plus an
allowance for the transportation from
the producer's dairy to the purchaser's
business location computed as follows:

(i) Where the milk is transported by
means of a carrier not operated or owned
by either the producer or the purchaser,
the transportation allowance shall be no
more than the amount paid the carrier
for the transportation service.

(ii) In all other cases, the transporta-
tion allowance shall not be more than the
lowest motor truck common carrier or a
contract carrier rate for the same or
most similar haul.

This amendment to Order No. G-26
shall become effective December 27, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th
Cong.; E.O. 9250, 7 F.R. 7871 and E.O.
9328, 8 F.R. 4681)

Issued this 21st day of December 1943.

L. F. GENTNER,
Regional Administrator.

Approved:

BUELL F. MABEN,
Regional Director, Food Distribu-
tion Administration, War Food
Administration.

[F. R. Doc. 44-252; Filed, January 5, 1944;
12:38 p. m.]

[Region VIII Order G-31 Under 18 (c),
Amdt. 2]

FLUID MILK IN CERTAIN LOCALITIES IN IDAHO

Amendment No. 2 to Order No. G-31
under § 1499.18 (c) as amended, of the
General Maximum Price Regulation.
Sales of fluid milk at wholesale and re-
tail in certain localities in the State of
Idaho.

For the reasons set forth in an opin-
ion issued simultaneously herewith and
under the authority vested in the Re-
gional Administrator of the Office of
Price Administration by § 1499.75 (a)
(9) of Supplementary Regulation No.
15, *It is hereby ordered*, That Order No.
G-31 under § 1499.18 (c) as amended of
the General Maximum Price Regulation
be amended as set forth below:

(a) The preamble is amended to read
as follows:

For the reasons set forth in an opin-
ion issued simultaneously herewith and
under the authority vested in the Re-
gional Administrator of the Office of
Price Administration by § 1499.18 (c) as
amended of the General Maximum Price
Regulation, § 1499.75 (a) (9) of Supple-
mentary Regulation No. 15, and special
authorization conferred by the Price
Administrator, *It is hereby ordered*:

(b) Paragraph (a) is hereby amended
by adding at the end thereof the fol-
lowing:

THE TOWN OF SANDPOINT, IDAHO—NOT LESS THAN
3.6 PERCENT MILK FAT

Quantity	Wholesale prices f. o. b. purchaser's business loca- tion	Retail prices either home de- livered or store delivered
Gallon container.....	\$0.40	\$0.45
Quart container.....	.11	.13
Pint container.....	.06	.07
½-pint container.....	.04	-----

This amendment to Order No. G-31
shall become effective December 31, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th
Cong.; E.O. 9250, 7 F.R. 7871 and E.O.
9328, 8 F.R. 4681)

Issued this 29th day of December 1943.

L. F. GENTNER,
Regional Administrator.

[F. R. Doc. 44-241; Filed, January 5, 1944;
12:33 p. m.]

[Region VIII Order G-84 Under 18 (c)]
CERTAIN TRANSPORTATION SERVICES IN
CALIFORNIA

Order No. G-84 under § 1499.18 (c) as
amended of the General Maximum Price
Regulation. Adjusted maximum prices
of transportation services performed
within the State of California by carriers
other than common carriers.

For the reasons set forth in an opinion
issued simultaneously herewith and
under the authority vested in the Re-
gional Administrator of the Office of
Price Administration by § 1499.18 (c) as
amended of the General Maximum Price
Regulation, *It is hereby ordered*:

(a) The adjusted maximum price
which any carrier other than a common
carrier in the State of California fur-
nishing a transportation service subject
to a minimum rate established by the
Railroad Commission of the State of
California may charge for such service
shall be the minimum rate established
by the Railroad Commission of the State
of California, or the maximum price es-
tablished by the General Maximum
Price Regulation or any supplementary
regulation or order issued by the Office
of Price Administration, whichever is
higher.

(b) The term "minimum rate estab-
lished by the Railroad Commission of
the State of California" means the ap-
plicable minimum rate determined un-
der any decision, in effect at the effective
date of this order, issued by the Rail-
road Commission of the State of Cali-
fornia in any of the proceedings desig-
nated upon its docket by any of the
following case numbers: 4084, 4108, 4121,
4246, 4293, and 4434, or issued by the
said Commission pursuant to any appli-
cation for permission to charge rates
lower than those specified in any such
decision.

(c) This order shall become effective
December 28th, 1943, and shall apply to
transportation services rendered on and
after January 5, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th
Cong.; E.O. 9250, 7 F.R. 7871 and E.O.
9328, 8 F.R. 4681)

Issued this 23d day of December 1943.

L. F. GENTNER,
Regional Administrator.

[F. R. Doc. 44-245; Filed, January 5, 1944;
12:35 p. m.]

[Region VIII Order G-81 Under 18 (c)]

FIREWOOD IN ARIZONA

Order No. G-81 under § 1499.18 (c) as amended, of the General Maximum Price Regulation. Maximum prices for sales of firewood in Arizona.

For the reasons set forth in an opinion issued simultaneously herewith and under authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c), as amended, of the General Maximum Price Regulation; *It is hereby ordered:*

(a) Maximum prices for firewood sold to retailers and sellers at retail in the State of Arizona.

(1) On and after the effective date hereof, regardless of any contract or other obligation, no person shall sell or deliver, or offer, solicit, or agree to sell or deliver, in the District of Arizona, any firewood, and no person shall buy or receive in the course of trade or business in said District, any firewood at prices higher than the maximum prices set forth in paragraph (a) (2) hereof, or their maximum prices as determined under § 1499.2 of the General Maximum Price Regulation, whichever is the higher.

(2) The maximum price of firewood sold to retailers and at retail in the District of Arizona shall be the seller's maximum price as determined in § 1499.2 of the General Maximum Price Regulation, or the applicable adjusted maximum prices specified in Schedule A set forth below, whichever is the higher.

SCHEDULE A

	Sales to retailers	Sales at retail	
		Yard	Delivered
(d) For areas outside Phoenix, Tucson and Jerome areas:			
(a) For Mesquite wood:			
Per cord of 4' lengths.....	\$8.75	\$11.50	\$12.50
Per 1/2 cord of 24" lengths.....	5.75	7.50	8.00
Per 1/4 cord of 12" lengths.....	4.00	5.00	5.50
(b) For Pine, Pinion, Cedar and Juniper wood:			
Per cord of 4' lengths.....	11.00	14.00	15.00
Per 1/2 cord of 24" lengths.....	6.75	8.75	9.25
Per 1/4 cord of 12" lengths.....	4.00	5.00	5.50
(c) For Oak Wood:			
Per cord of 4' lengths.....	12.25	15.50	16.50
Per 1/2 cord of 24" lengths.....	7.75	9.75	10.25
Per 1/4 cord of 12" lengths.....	4.50	5.50	6.00
(d) For Ironwood:			
Per cord of 4' lengths.....	12.75	17.00	18.00
Per 1/2 cord of 24" lengths.....	8.00	10.50	11.00
Per 1/4 cord of 12" lengths.....	4.75	6.00	6.50
(ii) For Phoenix, Tucson and Jerome areas:			
(a) For Mesquite wood:			
Per cord of 4' lengths.....	10.75	14.00	15.00
Per 1/2 cord of 24" lengths.....	7.00	9.00	9.50
Per 1/4 cord of 12" lengths.....	4.75	6.00	6.50
(b) For Pine, Pinion, Cedar and Juniper wood:			
Per cord of 4-foot lengths.....	12.75	17.00	18.00
Per 1/2 cord of 24-inch lengths.....	8.00	10.50	11.00
Per 1/4 cord of 12-inch lengths.....	4.75	6.00	6.50
(c) For Oak wood:			
Per cord of 4-foot lengths.....	15.00	18.50	19.50
Per 1/2 cord of 24-inch lengths.....	9.25	11.25	11.75
Per 1/4 cord of 12-inch lengths.....	5.25	6.50	7.00
(d) For Ironwood:			
Per cord of 4-foot lengths.....	15.75	20.00	21.00
Per 1/2 cord of 24-inch lengths.....	9.75	11.75	12.25
Per 1/4 cord of 12-inch lengths.....	5.75	7.00	7.50

(iii) The maximum prices of 1/8 of a cord of 12" wood sold at retail shall be one-half the applicable price for 1/4 cord, as set forth in paragraphs (i) and (ii)

of Schedule A, plus 25¢ rounded off to the nearest 1/20th of a dollar.

(iv) The maximum prices for all kinds of firewood not specifically listed above, when sold by the cord or fraction of a cord, including but not limited to mill blocks and kindling wood, shall be the seller's maximum price as determined under § 1499.2 of the General Maximum Price Regulation for such kinds and sales of firewood, increased by 25 percent, rounded off to the nearest 1/4 of a dollar.

(v) The maximum prices of all types of firewood sold to ultimate consumers other than by the cord or fraction of a cord, including but not limited to firewood sold by the tub, sack or by weight, shall be the seller's price for such quantities as determined under § 1499.2 of the General Maximum Price Regulation, increased by 25 percent, rounded off to the nearest 1/20th of a dollar.

(b) *Evasion.* No seller shall evade any of the provisions of this order by changing his customary allowances, discounts, or other price differentials, unless such change will result in lower maximum prices than those permitted by this order.

(c) *Less than maximum prices.* Lower prices than those established by this order may be charged, demanded, paid or offered.

16" lies between 12" and 24"

24" wood contains at least 104 cubic feet
12" wood contains at least 96 cubic feet

Difference 12" 8 cubic feet

16" - 12" = 4"

1/2 x 8 cubic feet = 2 2/3 cubic feet

96 cubic feet plus 2 2/3 cubic feet = 98 2/3 cubic feet

(7) "Delivered" means deposited on or at premises designated by the buyer.

(8) "Sales at retail" means a sale to an ultimate consumer.

(9) "Sales to a retailer" means a sale to a person who buys firewood and resells it to ultimate consumers, and for the purpose of this order shall include all sales of firewood other than sales made at retail.

(10) Phoenix, Tucson, and Jerome areas shall mean the city of Phoenix, the city of Tucson, and the city of Jerome, and the surrounding areas adjacent thereto within a radius of 20 miles, 7 miles and 2 miles, respectively, from the city limits thereof.

(11) "Seller" means a seller of, or dealer in firewood.

(e) *Requirement.* This order shall not be effective as to any seller at retail unless and until he has posted the ceiling prices authorized by this order, as required by § 1499.2 (a) of the General Maximum Price Regulation, and filed the same as a supplement to his cost-of-living commodity list with his War Price and Rationing Board. Such supplementary cost-of-living commodity list shall be signed by the seller, and shall set forth in parallel columns the seller's maximum prices for all kinds and quantities of firewood customarily sold by him, as determined under § 1499.2 of the General Maximum Price Regulation, and the maximum prices thereof as au-

(d) *Definitions.* When used in this order:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or the legal successor or the representative of the foregoing, and includes the United States or any government, or any of its political subdivisions, or any agency of the foregoing.

(2) "Firewood" means any wood prepared and intended for consumption as fuel.

(3) A "cord" shall mean 128 cubic feet of wood 48" in length. A cord of wood consisting of lengths greater than 48" shall contain at least 128 cubic feet.

(4) A cord of wood in lengths measuring 24" shall contain not less than 104 cubic feet of wood.

(5) A cord of wood in lengths measuring 12" or less shall contain not less than 96 cubic feet of wood.

(6) For wood sizes above 12", other than those specifically mentioned above, the cubical contents of a cord shall be determined on a proportionate basis. For example, a cord of wood containing lengths measuring 16" shall contain at least 98 2/3 cubic feet. This is determined as follows:

thorized by this order. A copy of such supplementary list shall be mailed by such seller at retail within ten days after he has filed the same with the War Price and Rationing Board, to the State Office of the Office of Price Administration, 17 West Van Buren Street, Phoenix, Arizona. The Regional Administrator may adjust any price so reported which he finds to be contrary to the provisions of this order.

(f) This order may be revoked, amended, or corrected at any time.

Issued this 20th day of December 1943.
This order shall become effective immediately.

L. F. GENTNER,
Regional Administrator.

[F. R. Doc. 44-170; Filed, January 4, 1944;
3:28 p. m.]

[Region VIII Order G-82 Under 18 (c)]

CERTAIN BRICK IN SAN FRANCISCO REGION

Order No. G-82 under § 1499.18 (c), as amended, of the General Maximum Price Regulation. Adjusted maximum prices for sales of certain brick by persons located in Region VIII.

For the reasons set forth in an opinion issued simultaneously herewith and under authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c), as

amended, of the General Maximum Price Regulation; *It is hereby ordered:*

(a) The adjusted maximum prices at which any dealer located in Region VIII may sell common brick purchased from Moscow Firebrick Clay Company, Moscow, Idaho at the adjusted maximum prices set forth in an order issued by the Regional Administrator on December 2, 1943, shall be the particular dealer's maximum prices determined pursuant to the General Maximum Price Regulation, plus the increased dollars and cents amount which the dealer has paid pursuant to said order of December 2, 1943.

(b) All allowances, discounts, or other price differentials in effect during March 1942 must be maintained.

(c) Definition:

(1) The term "Region VIII" means: The states of California, Washington, Nevada, Oregon, except Malheur and Harney Counties, and Arizona, except those portions of Coconino County and Mohave County lying North of the Colorado River; and the following counties in the State of Idaho: Benewah, Bonner, Boundary, Clearwater, Kootenai, Latah, Lewis, Nez Perce, Shoshone, and Idaho.

(d) This order may be revoked, amended, or corrected at any time.

This order shall become effective December 2d 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871 and E.O. 9328, 8 F.R. 4681)

Issued this 27th day of December 1943.

L. F. GENTNER,
Regional Administrator.

[F. R. Doc. 44-171; Filed, January 4, 1944;
3:34 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 54-51]

NATIONAL POWER AND LIGHT CO.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania on the 3d day of January, A. D. 1944.

Notice regarding filing subject to Rule U-23 (Application No. 6).

Notice is hereby given that a declaration or application (or both), has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by National Power & Light Company, a registered holding company, and a subsidiary of Electric Bond and Share Company, likewise a registered holding company;

Notice is further given that any interested person may, not later than January 12, 1944, at 5:30 p. m., e. w. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any

time thereafter such declaration or application, as filed or as amended, may become effective or may be granted, as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act. Any such request should be addressed: Secretary, Securities and Exchange Commission, Philadelphia 3, Pennsylvania.

All interested persons are referred to said declaration or application, which is on file in the office of said Commission, for a statement of the transactions therein proposed, which are summarized below:

National Power & Light Company ("National") states that it desires to provide for the payment in full, with interest to maturity, of \$25,000 principal amount of non-callable fifty-year five per cent collateral trust mortgage gold bonds, due July 1, 1951, of Lancaster County Railway & Light Company ("collateral trust bonds"). National assumed liability with respect to \$414,500 principal amount of the collateral trust bonds in September 1939 and since that date has reacquired \$389,500 principal amount of such bonds, of which \$388,000 in principal amount have been delivered to The Pennsylvania Company for Insurances on Lives and Granting Annuities ("successor trustee"), pursuant to the provisions of the Indenture of Mortgage. There now remain outstanding in hands of persons other than National \$25,000 principal amount of said bonds.

National now proposes to authorize the successor trustee to sell in the open market certain securities, now held by the successor trustee as collateral for said collateral trust bonds, and to authorize the successor trustee to retain from the proceeds of such sale, in full satisfaction of National's obligation with respect to said bonds, a sum equal to the aggregate of (1) the principal amount of said collateral trust bonds now outstanding with the public, (2) an amount sufficient to pay interest at the rate of 5% per annum on said bonds from the interest date next preceding the date of such sale until the maturity of said bonds, July 1, 1951, (3) an amount sufficient to pay all accrued and unpaid interest represented by coupons then validly outstanding, if any, and (4) the sum of \$1,185, representing the successor trustee's fee for services rendered. It is proposed that an agreement between the successor trustee, National, and United States Fidelity and Guaranty Company be executed, which agreement provides for the discharge of all obligations and liabilities heretofore assumed by National in connection with said collateral trust bonds.

National describes the proposals set forth in its application or declaration as a step toward compliance with this Commission's order of August 23, 1941, under section 11 (b) (2) of the Act requiring the dissolution of National.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 44-228; Filed, January 5, 1944;
2:43 p. m.]

[File No. 54-51]

NATIONAL POWER AND LIGHT CO.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania on the 4th day of January, A. D. 1944.

Order granting application and permitting declaration to become effective, (Application No. 7).

National Power & Light Company ("National"), a registered holding company, having filed an application and declaration pursuant to the Public Utility Holding Company Act of 1935 and the rules and regulations promulgated thereunder, requesting permission to retire on January 31, 1944, at liquidating value of \$100 per share plus accumulated and unpaid dividends to that date, the remaining 12,000 shares of its \$6 preferred stock outstanding with the public, and to retire 1,048 shares of said \$6 preferred stock heretofore reacquired by National and now held in its treasury; and requesting approval of the solicitation material to be used by National to solicit from its stockholders their proxies for authorization of such reduction of capital stock and of capital and for the amendment of National's charter; and requesting permission to reduce its outstanding common stock to 5,456,100 shares by purchase in the open market of 17 shares of such common stock; and

Said application and declaration having been filed on December 17, 1943 and an amendment thereto having been filed on December 21, 1943, and notice having been duly given in the form and manner prescribed in Rule U-23, promulgated pursuant to said act, and the Commission not having received a request for a hearing with respect to said application and declaration within the period specified in such notice, or otherwise, and not having ordered a hearing thereon; and National having requested that the Commission make the findings specified in section 1808 (f) of the Internal Revenue Code, as amended; and

The Commission finding that the proposed transactions by National are steps in compliance with the order of the Commission dated August 23, 1941, issued pursuant to section 11 (b) (2) of the act, directing the dissolution of National, that the requirements of section 12 of the act and Rules U-42 and U-62 thereunder are satisfied, and that it is appropriate in the public interest and in the interest of investors and consumers to grant said application and to permit said declaration to become effective;

It is hereby ordered, Pursuant to said Rule U-23 and the applicable provisions of said act, and subject to the terms and conditions prescribed in Rule U-24, that said application, as amended, be and hereby is granted and said declaration, as amended, be and hereby is permitted to become effective forthwith.

It is further ordered, That the retirement by National of 12,000 shares of its \$6 preferred stock on January 31, 1944

at \$100 a share, plus accumulated and unpaid dividends to such date, is necessary and appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935 and to comply with the Commission's order of August 23, 1941, and said order is hereby supplemented so as to authorize, permit and approve the retirement of said shares in order to effectuate the provisions of section 11 (b) of said act and said order dated August 23, 1941.

By the Commission.

[SEAL]

ORVAL L. DuBois,
Secretary.

[F. R. Doc. 44-229; Filed, January 5, 1944;
2:43 p. m.]

WAR FOOD ADMINISTRATION.

DESIGNATION OF LOCALITIES FOR LOANS

Designation of localities in counties in which loans, pursuant to Title I of the Bankhead-Jones Farm Tenant Act, may be made.

In accordance with the rules and regulations promulgated by the Secretary of Agriculture on July 1, 1941, as extended by the War Food Administrator's Delegation of Authority issued November 3, 1943, loans made in the counties mentioned herein, under Title I of the Bankhead-Jones Farm Tenant Act, may be made within the localities herein described and designated. The value of the average farm unit of thirty acres and more in each of these localities has been determined in accordance with the provisions of the said rules and regulations. A description of the localities and the determination of value for each follows:

REGION I—NEW YORK

ONEIDA COUNTY

Locality I: Consisting of the towns of Annsville, Ava, Boonville, Camden, Deerfield, Florence, Floyd, Forestport, Lee, Marcy, Remsen, Steuben, Trenton, Vienna, and Western; city of Rome, \$4,709.

Locality II: Consisting of the towns of Augusta, Bridgewater, Kirkland, Marshall, New Hartford, Paris, Sangerfield, Vernon, Verona, Westmoreland, and Whiteston; city of Utica, \$6,359.

REGION III—OHIO

TUSCARAWAS COUNTY

Locality I: Consisting of the townships of Dover, Franklin, Lawrence, Sandy, Sugar-creek, and Wayne, \$6,384.

Locality II: Consisting of the townships of Auburn, Bucks, Goshen, Warwick, and York, \$4,979.

Locality III: Consisting of the townships of Clay, Fairfield, Jefferson, Mill, Oxford, Perry, Rush, Salem, Union, Warren, and Washington, \$3,198.

The purchase price limits previously established for the counties above-mentioned are hereby cancelled.

Approved: January 5, 1944.

R. W. HUDGENS,
Acting Administrator,
Farm Security Administration.

[F. R. Doc. 44-338; Filed, January 6, 1944;
11:17 a. m.]

DESIGNATION OF LOCALITIES FOR LOANS

Designation of localities in county in which loans, pursuant to Title I of the Bankhead-Jones Farm Tenant Act, may be made.

(a) In accordance with the rules and regulations promulgated by the Secretary of Agriculture on July 1, 1941, as extended by the War Food Administrator's Delegation of Authority issued November 3, 1943, loans made in the county mentioned herein, under Title I of the Bankhead-Jones Farm Tenant Act, may be made within the localities herein described and designated. The value of the average farm unit of thirty acres and more in each of these localities has been determined in accordance with the provisions of said rules and regulations. A

Urgency rating number	Builder's serial number	Company	Address	Location of project
9	27794	E. I. duPont de Nemours & Co.	Wilmington, Del.	Newark, N. J.
18	49135	Pan American Ref.	122 E. 42d St., New York, N. Y.	Texas City, Tex.
37	8370	U. S. Rubber Co.	1230 6th Ave., New York, N. Y.	Naugatuck, Conn.
48	24641	Q. O. Chemical Co.	P. O. Box 235, Hollywood Sta., Memphis, Tenn.	Memphis, Tenn.

Issued this 5th day of January 1944.

REGION V—ALABAMA

GENEVA COUNTY

Locality I: Consisting of the precincts of Fadette, Hurricane Church, Malvern, Slocumb and Tate Schoolhouse, and St. Paul, \$2,553.

Locality II: Consisting of the precincts of Geneva and Noblins, \$3,523.

Locality III: Consisting of the precincts of Center, Chancellor, Gilmores, Marl, Piney Grove, and Vaughanville, \$2,162.

Locality IV: Consisting of the precincts of Haccoda and Lowrey and Davis Schoolhouse, \$1,938.

The purchase price limit previously established for the county above-mentioned is hereby cancelled.

Approved: January 5, 1944.

R. W. HUDGENS,
Acting Administrator,
Farm Security Administration.

[F. R. Doc. 44-337; Filed, January 6, 1944;
11:17 a. m.]

WAR PRODUCTION BOARD.

NOTICE TO BUILDERS AND SUPPLIERS OF ISSUANCE OF REVOCATION ORDERS REVOKING SPECIAL DIRECTIONS

The War Production Board has issued certain revocation orders revoking special directions dated December 8, 1942, issued in connection with synthetic rubber facilities construction projects to which urgency numbers listed below were assigned. For the effect of such revocation order the builder and suppliers affected shall refer to the specific order issued to the builder:

WAR PRODUCTION BOARD,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 44-274; Filed, January 5, 1944; 4:40 p. m.]